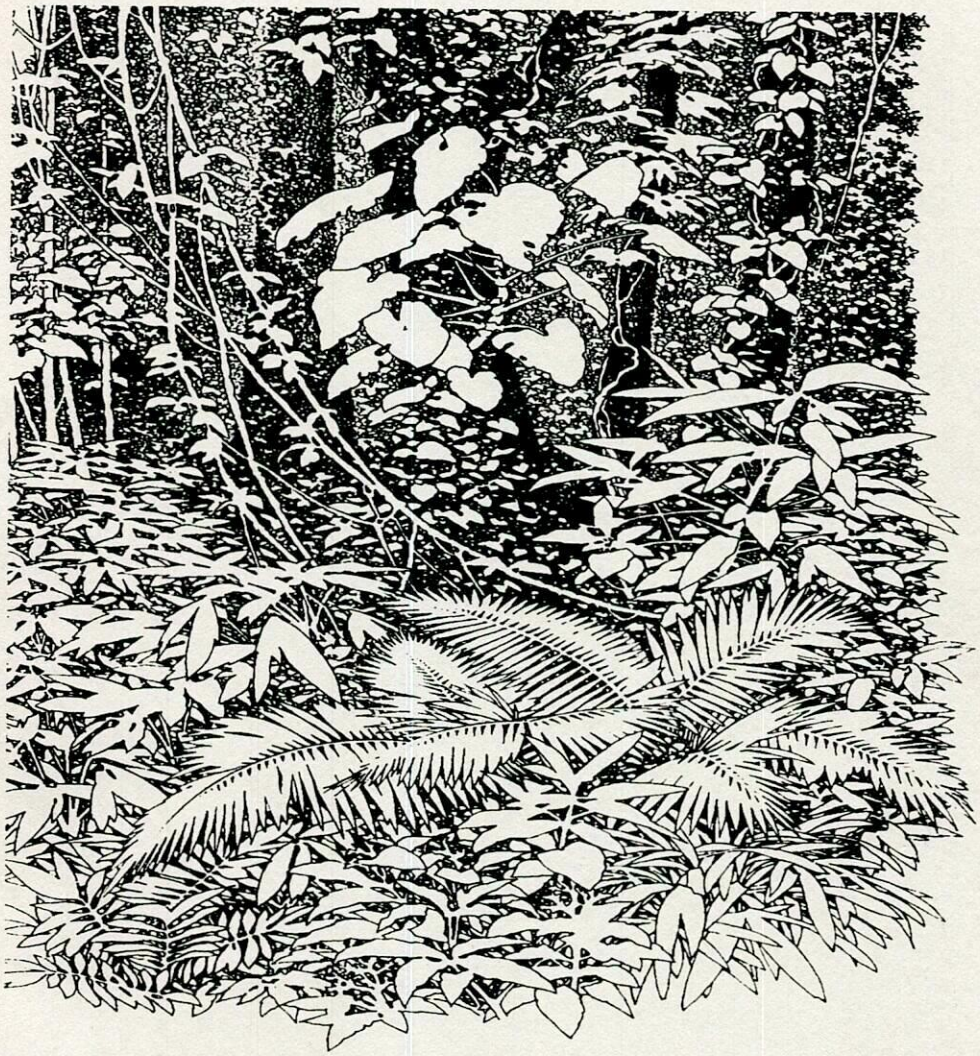
Environmental Assessment

Fern Hill to John Day River Bridge



Lower Columbia River Highway

Highway 30 - Clatsop County

Federal Highway Administration
Oregon Department of Transportation

PROPERTY OF
CLATSOP COUNTY HISTORICAL SOCIETY
ASTORIA, OREGON

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DEPARTMENT OF
TRANSPORTATION

HIGHWAY DIVISION
Environmental Section

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TO REVIEWERS of the Environmental Assessment
Fern Hill - John Day River Bridge
Lower Columbia River Highway
Clatsop County

This Environmental Assessment is being circulated for public and agency review. All comments should be mailed or delivered within 30 days to:

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Sincerely,

Eb Engelmann
Manager

cjs

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Oregon

DEPARTMENT OF
TRANSPORTATION

Fern Hill - John Day River Bridge
Lower Columbia River Highway
Clatsop County

ENVIRONMENTAL ASSESSMENT

Oregon Department of Transportation
Technical Services

11/15/92
Approval Date

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Abstract:

The proposed project would improve an existing 2.2-mile section of the Lower Columbia River Highway to bring it up to current standards. Two build alternatives are being considered: one would follow the existing alignment closely, but would realign vertical and horizontal curves to meet current standards; the other alignment would depart from the existing alignment at about the midpoint of the section and rejoin the existing alignment near the western terminus of the section. This project, along with the John Day to Youngs Bay project, would complete the upgrade of the Lower Columbia River Highway.

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ENVIRONMENTAL ASSESSMENT

PROJECT IDENTIFICATION

Project Name Fern Hill - John Day River Bridge

Highway Name Lower Columbia River Funding Source A.O.H.

Highway Number 2W Cost Estimate L4 $6,600,000
L5 $6,300,000

County Clatsop City Fern Hill ODOT Region 2

Begin. Milepoint 88.2 End Milepoint 92.3* Length 2.22

*** This section of roadway has an equation to account for changes in the roadway length between milepost 89.1 and 91.0.**

DESCRIPTION

The proposed project would improve an existing 2.2-mile section of the Lower Columbia River Highway to bring it up to current standards. The project is located in the community of Fern Hill, east of the John Day River in Clatsop County (Figure 1). Two options are being considered: Alignment L5 would follow the existing alignment closely, but would realign vertical and horizontal curves to meet current standards; Alignment L4 would depart from the existing alignment at about the midpoint of the section and rejoin the existing alignment near the western terminus of the section (Figure 2). This project, along with the John Day to Youngs Bay project, would complete the upgrade of the Lower Columbia River Highway.

	Existing	**Proposed**
Roadway Width	32 ft.	40 ft.
Number of Traffic Lanes	Two	Two/+Climbing
Median (Yes/No:Type)	No	No
Shoulders	Four feet	Eight feet
Right-of-Way Width	30 ft. beyond edge of pavement	20' past cut/fill slope edge
Average Daily Traffic (Volume and Year)	6,400 (Year 1991)	6,900 (Year1995) 9,900 (Year2015)
Operational Speed (MPH and Year)	45 mph, 1991	55 mph, 1995
Alignment (New, Combined, Existing)	Existing	Combined
Access Control (Yes, No)	Limited	Yes
Structures (Bridge No.)	None	None
Additional Facilities (Bikeways, Curbs, Sidewalks, Signals, Etc.)	None	Shoulder/Bikeway

FIGURE 1
LOCATION OF PROJECT

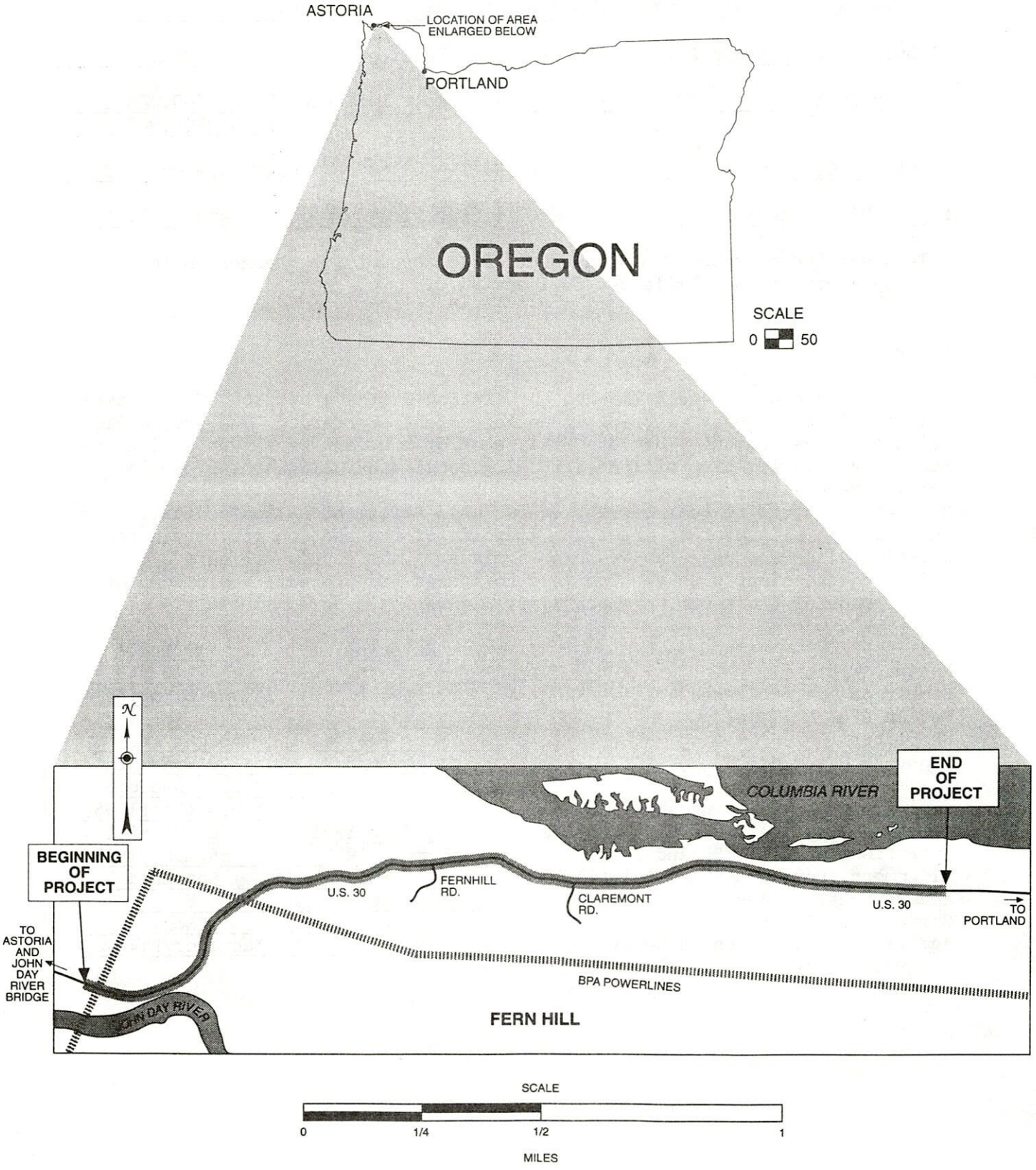
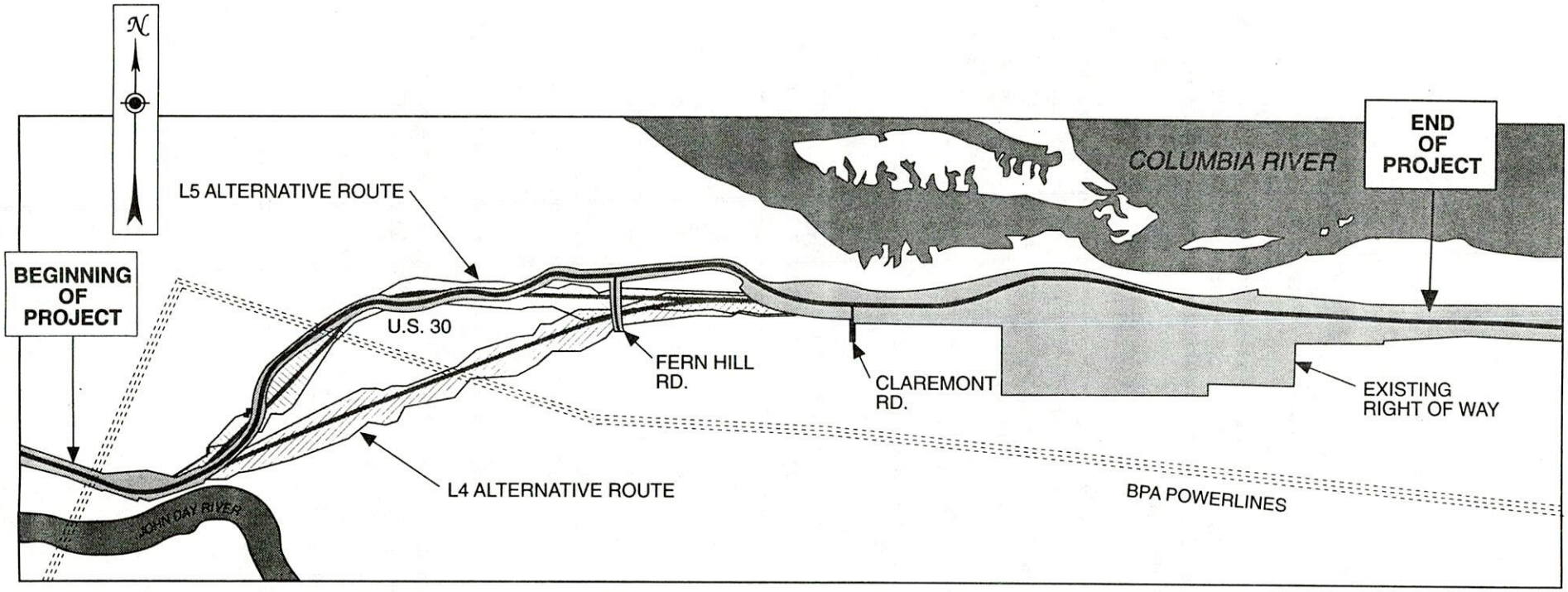


FIGURE 2

FERN HILL - JOHN DAY RIVER STUDY AREA



SCALE

0 1/4 1/2 1

MILES

LEGEND

- EXISTING U.S. 30 RIGHT OF WAY
- L-4 ALTERNATIVE CORRIDOR
- L-5 ALTERNATIVE CORRIDOR

PROJECT HISTORY, PURPOSE, AND NEED

History

The Lower Columbia River Highway (part of U.S. 30) is a major route connecting Portland and Astoria and the northern Oregon and southern Washington coastal areas. This route is an important commercial and recreational traffic corridor. In addition, the east end serves commuter traffic in Portland and the west end serves Astoria area commuters. The importance of the highway has increased over the years with the completion of the Astoria Bridge, the construction and operation of the Trojan Nuclear Power Plant, and development of port facilities along the route. The west end of Highway 30 serves heavy truck traffic for wood processing mills along the route.

This two-mile section of the Lower Columbia River Highway has many curves (12). The western half of the section is either part of a horizontal curve, vertical curve, or combination of both. Several of these curves have 30 to 35 mile per hour (mph) speed advisory signs. Sight distance over most of this section is limited. Due to the curves and the hilly nature of this section, the overall operational speed is 45 miles per hour.

This section of roadway has a history of slides and road settlement problems. The entire section of roadway east of Fernhill Road rests on a ancient slide. A landslide occurred during a highway construction project from just east of Claremont Road, and extending easterly beyond the eastern limits of this project. Currently small portions of the landslide are moving and the entire slide mass is considered marginally stable.

Purpose

The aim of the proposed project is to meet the transportation needs of the travelling public by upgrading one of the last substandard sections of the Columbia River Highway to current safety standards. The Oregon Department of Transportation (ODOT) has established goals for the U.S. 30 Corridor which include:

1. Providing minimum lane widths of 12 feet on the entire highway

2. Providing minimum paved shoulders/bikeways of 6 feet on all highway sections with 2,000 or over Average Daily Traffic (ADT)

3. Providing traffic flow for Access Oregon Highway corridors at Level of Service A through C in rural areas during peak traffic periods

4. Improving and maintaining pavement surface to good or better condition

Need

Securing System Linkage

Either of the build alternatives would ensure continuity and linkage with completed improvements on Highway 30 east of this section and the proposed John Day to Youngs Bay Bridge, just west of this section.

Ensure Capacity Adequacy

On U.S. 30, as on other Access Oregon Highways (AOH) corridors, improving levels of service and increasing capacity are expected to go hand-in-hand with measures to control access. Development adjacent to state highways, along with its associated demand for access, tends to restrict the highway's ability to carry through traffic. Either of the build options would ensure that the current level of service for this section, which is poor, would be improved. A policy of restraint in granting access to AOH routes is expected to help preserve the level of service and the investment made in the route. There are over 20 access points on this curvy, two-mile stretch of highway. The proposed improvements will reduce the number of access or conflict points by about 75 percent by eliminating and consolidating access.

Improve Safety

The accident rate for this section is slightly higher than the statewide rate (1.13 accidents per million vehicle miles (a/mvm) versus a statewide rate of 1.05 a/mvm). Both of the build alternatives would straighten considerably and thus improve the safety of the section. A decrease in the number of accidents on this section might be expected as a result of decreasing the number of curves, widening shoulders, and improving the condition of the roadway.

Meet Transportation Demand

Traffic is expected to increase and the effective operating speed, now 45 mph, is expected to decrease without improvements.

The level of service (LOS) for this section is now "E." Either build alternative would raise the LOS to "B," decreasing to "C" by 2015. Appendix A contains a full explanation of LOS.

Satisfy Legislative Mandate

Either build option would meet the Oregon Statewide Planning Goal 12 (Transportation) aim of providing a safe, efficient, convenient, and economic transportation system.

Comply with Roadway Standards

The proposed build alternatives would improve the sight distance, reduce the length, provide a passing opportunity, improve the surface condition, and driveability of the highway. Highway 30 is a statewide bicycle route. Proposed eight foot shoulder/bikeways would enhance the safety of this section for bicycle users.

PROJECT ALTERNATIVES

Three alternatives were evaluated for this project: a No-Build Alternative, and two Build Alternatives, designated as Line 4 (L4) and Line 5 (L5).

No-Build Alternative - There would be no changes to the roadway, except as needed for periodic maintenance. Leaving the roadway in its existing condition would not improve the substandard nature of the horizontal and vertical curves, and the section's incompatibility with Access Oregon Highway Standards. The existing alignment and right-of-way are shown in Figure 2.

Build Alternative (L4) - The L4 alignment is the straighter and more southerly of the proposed alternatives, and the one which involves the greater cut and elevation changes. This alignment follows nearly a straight line from the western approach of the John Day River Bridge to about the midpoint of the section, Fernhill Road, then follows the existing alignment to the eastern terminus of the project (Figure 2).

Build Alternative (L5) - This build alternative closely follows the existing alignment, but with vertical and horizontal curves that meet current standards. The L5 alignment would be slightly longer (300') than the L4 alignment, but would involve considerably fewer cuts and elevation changes. Like the L4 alignment, the L5 alignment departs from the existing alignment near the western end of the section, but less radically. On the eastern half, L5 follows the existing alignment (Figure 2).

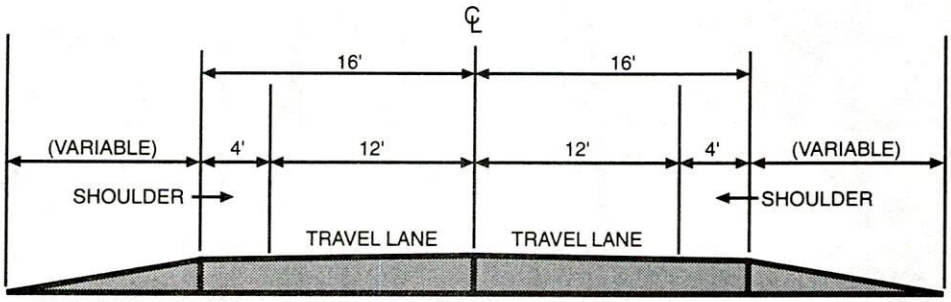
The typical section for both alternatives would include two twelve-foot travel lanes and eight-foot shoulder/bikeways (Figure 3). An east-bound climbing lane of 3,000 feet is included on both options. The existing highway has two twelve-foot travel lanes and four-foot shoulders. Both alternatives include a frontage road. The frontage road would be constructed to redirect traffic from the intersection of Highway 30 and Fernhill Road to Claremont Road (Figures 4 and 5). This intersection has poor sight distance for traffic entering Highway 30 and would enter traffic into a climbing lane section.

PRELIMINARY IDENTIFICATION OF AREAS OF CRITICAL CONCERN AND CONTROVERSIAL ISSUES

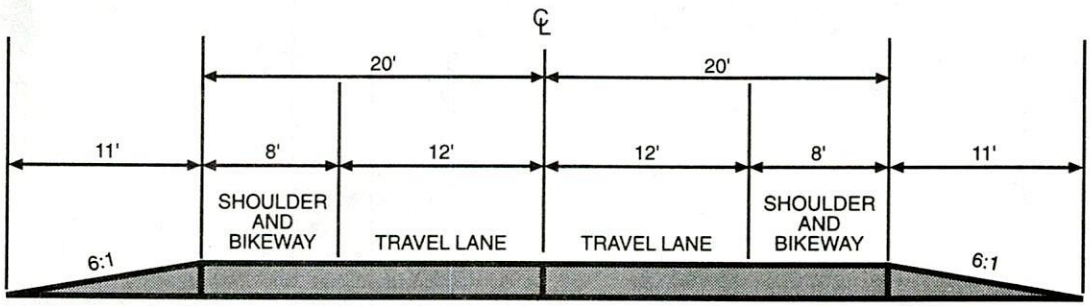
Wetland Impacts

Wetlands are a concern for either build alternative. Either build alternative would require substantial amounts of fill in recognized wetland areas.

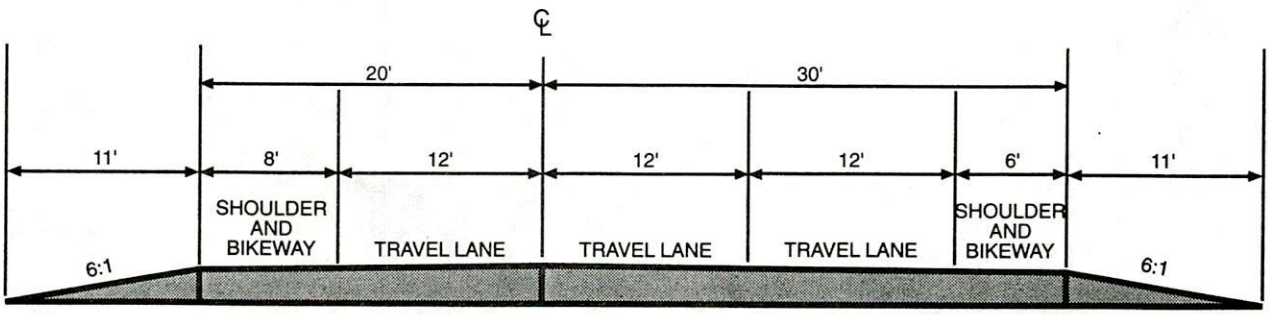
FIGURE 3
TYPICAL SECTIONS



EXISTING



TYPICAL SECTION



CLIMBING LANE

FIGURE 4

L-4 ALIGNMENT - LOCAL AREA ACCESS

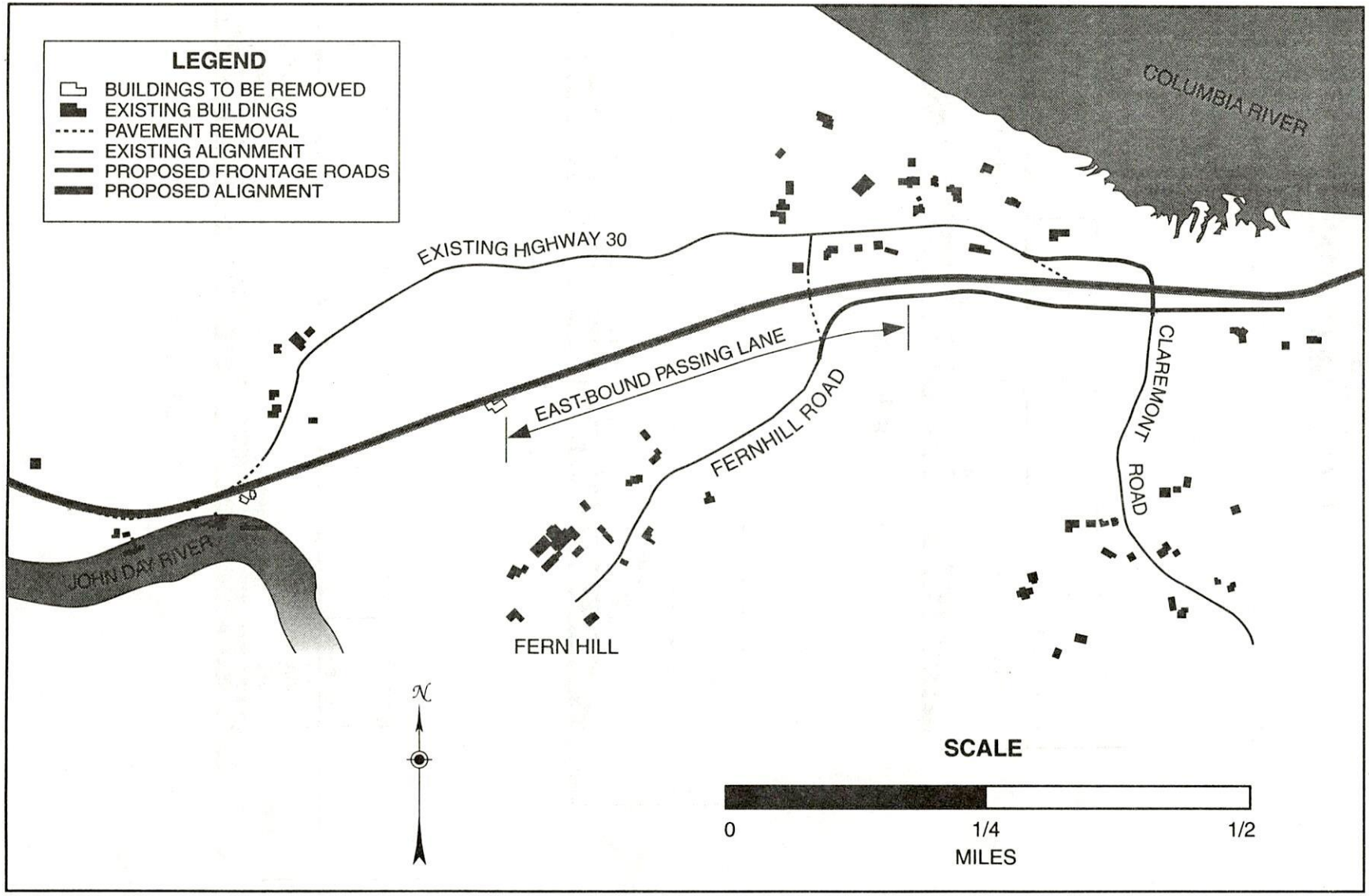
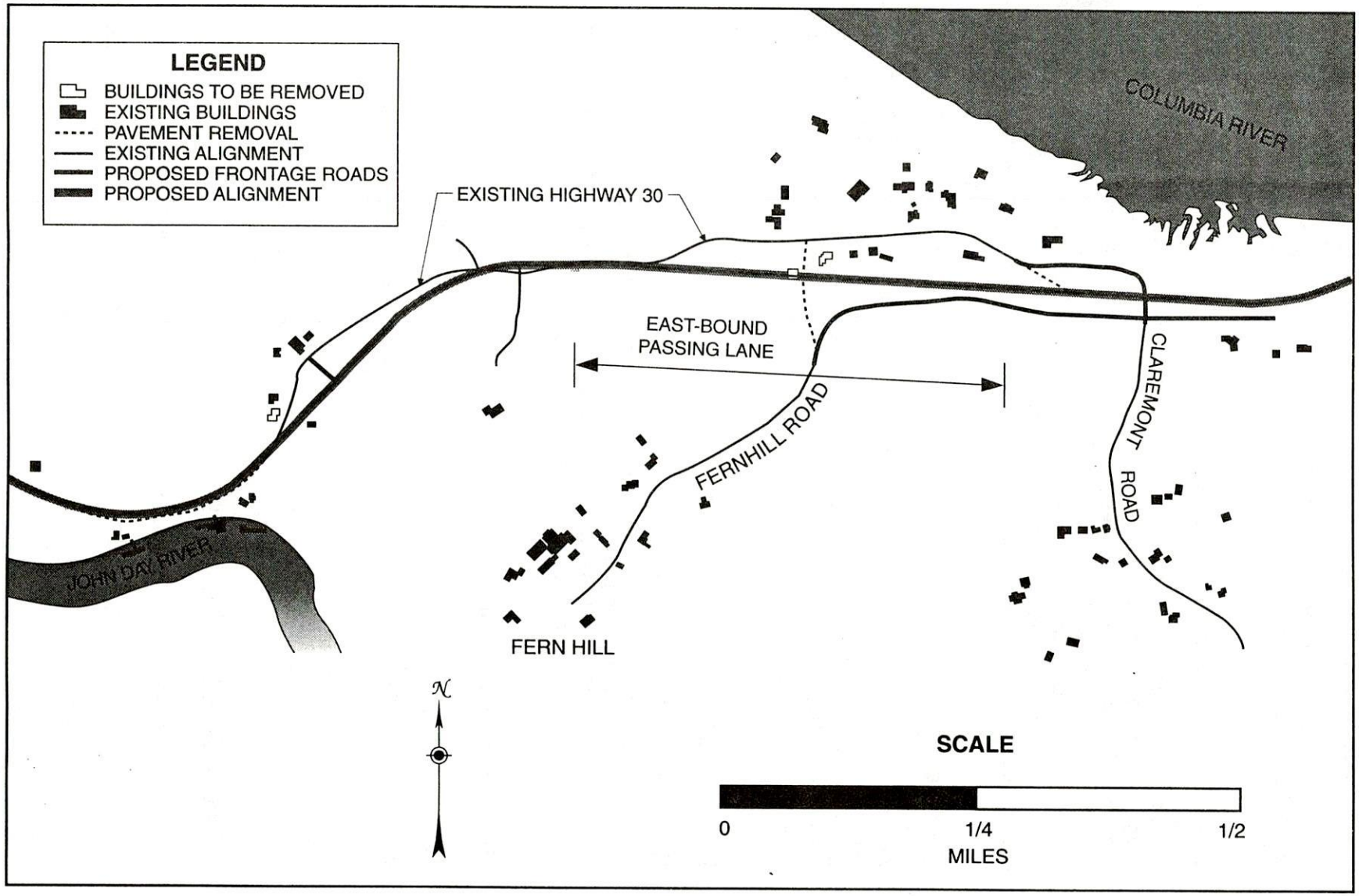


FIGURE 5

L-5 ALIGNMENT - LOCAL AREA ACCESS



Residential Displacements

The L4 alignment would displace two residences and the L5 alternative would displace three residences.

Differential Settlement and Slides

The soils in the wetlands, as well as the rest of the land within the proposed project area, are composed of very deep, compressible materials. They possess limited strength, and are therefore susceptible to differential settlement, consolidation, and stability problems. The characteristics of these soils are such that cutbanks are marginally stable without proper design, and slopes are prone to slumping and slides. Either build alternative would require designs which minimize the risk of slumping.

Flooding

The proposed project would be located in varied terrain, including coast range foothills, and alluvial lowlands. Much of these lowlands occur within the recognized 100-year floodplain. Because of this, additional engineering precautions would be necessary to assure the stability of the roadbed, and to minimize erosion on both cut slopes and fill slopes.

Threatened and Endangered Species

The project is located within a portion of a former bald eagle nesting territory. At the present time, there are no known nests in the area. Before construction begins, it would be necessary to locate the active nest of the pair that has nested in this area to determine if any construction restrictions are necessary.

PROBABLE PERMIT NEEDS

YES DSL Removal/Fill

YES Corps of Engineers Section 404

NO DEQ Indirect Source permits

NO Coast Guard Bridge

YES Goal 4 exception, conditional use permit, and plan ammendment.

NO Other federal, state, or local (specify) _____

ESTIMATED RIGHT-OF-WAY IMPACTS

Number of Parcels 11 (L4), 14 (L5)

Acres 22 (L4), 16 (L5)

Residential Relocations 2 (L4), 3(L5)

Business Relocations: None

Other Relocations: None

Description of the Right of Way Impacts

Construction of the L4 alignment would require the acquisition of about 22 acres from eleven parcels. This would require the relocation of two residences (Figure 6). One of these is a single family house, and the other is a single family mobile home. The characteristics of the acquired sites would be difficult to replace. One of these parcels has river frontage, while the other has a scenic view. The remaining properties are unimproved requiring no relocation. The total right-of-way cost involved for the L4 alignment would be about $330,000.

Construction of the L5 alignment would require the acquisition of about 16 acres from 14 parcels. This would involve the relocation of three residences (note that the Fern Hill Progressive Club Hall is now occupied as a residence). One home is a mobile home. The remaining properties are unimproved and would not require relocation. The total cost involved for the L5 alignment would be approximately $275,000.

Utilities

Construction of the proposed project would affect the following utilities: Pacific Power and Light (electrical transmission and distribution), U.S. West Communications (buried telephone cable), Bonneville Power Administration (electrical transmission), and several community water districts. Utilities on the existing right-of-way would be moved at the utilities' expense. Utilities not on the existing right-of-way would be reimbursed for the cost of moving.

The L5 alignment would result in the greatest number of utility distribution pole relocations. However, the L4 alignment would result in the relocation of an "H" type Pacific Power and Light (PP&L) transmission line support. PP&L would be reimbursed for this relocation.

IMPACT ON BUSINESSES, COMMUNITIES, NEIGHBORHOODS AND RESIDENTS

Businesses

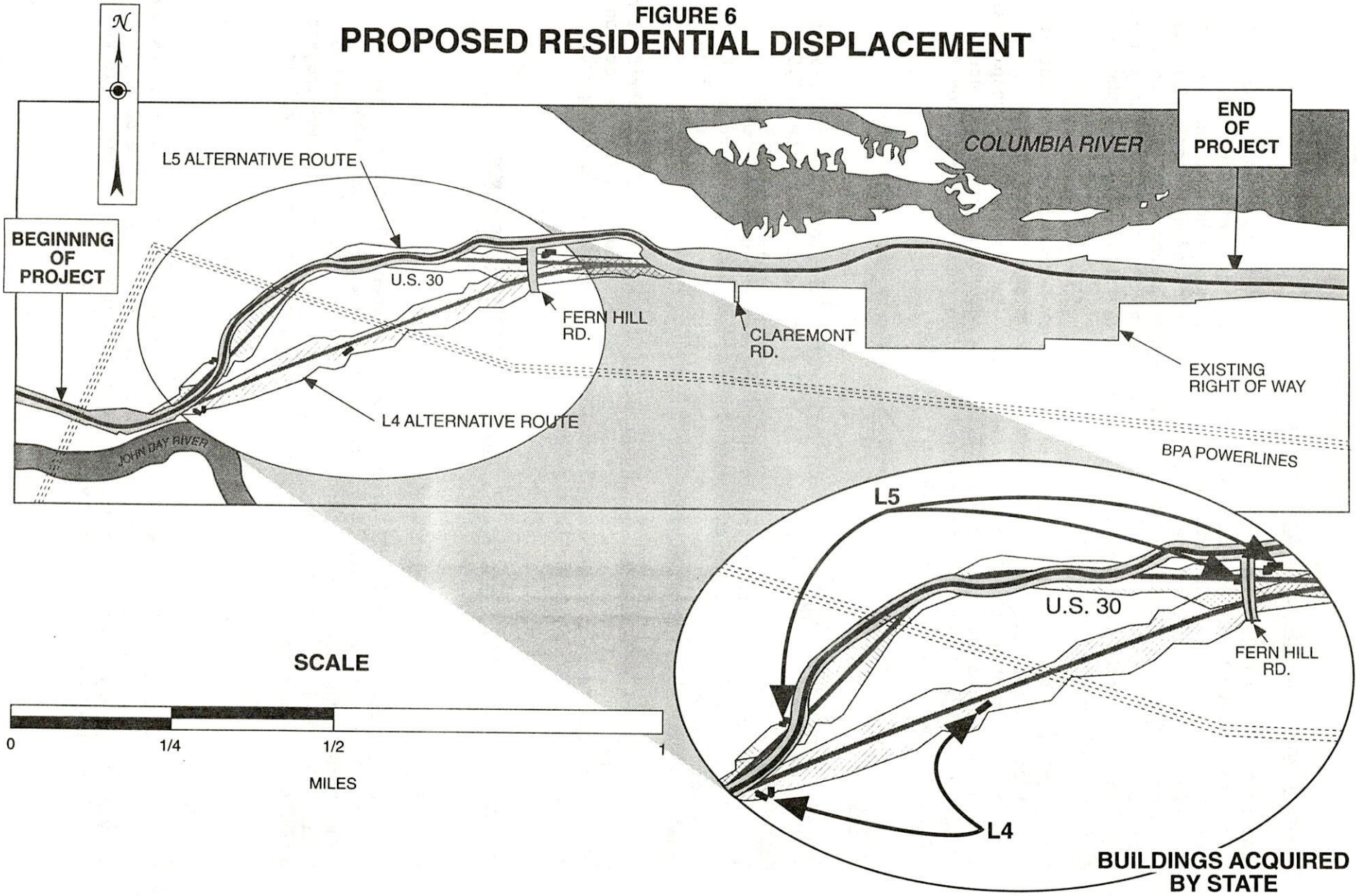
There are no businesses in the proposed project area. Therefore, neither proposed alignment would directly impact any businesses. With the completion of the proposed project, there would be a beneficial impact on businesses which transport goods and services through the proposed project area, since the safety, driveability, and level of service would all be improved.

Communities

The local community of Fern Hill, north of the highway, would benefit as the result of construction of either build alternative, because the safety, driveability, and level of service would all be improved. There would be no negative impacts on the community.

FIGURE 6

PROPOSED RESIDENTIAL DISPLACEMENT



Neighborhoods

The area in and around the proposed project is rural in nature. The highway already serves as dividing line for the several neighborhoods. Neither alignment would change the neighborhood pattern.

Residents

Either build alternative would require the relocation of residences (3 for L5 and 2 for L4). The state would provide relocation assistance to help all relocated families. Out-of-direction travel caused by rerouting traffic from Fernhill Road to Claremont Road would improve the safety of ingress and egress to the highway because of a left-turn refuge and right-lane deceleration lane planned at Claremont Road. However, a small amount of out-of-direction travel could be an inconvenience to some residents. The L4 alignment will result in the most out of direction travel (Figure 4 and 5). Residents on the northwest end of the existing roadway would be affected most by out-of-direction travel with the L4 option.

EXISTING LAND USE AND ZONING, IMPACT ON LAND USE, CONSISTENCY WITH COMPREHENSIVE PLAN, AND CONSISTENCY FARMLAND PROTECTION POLICY ACT

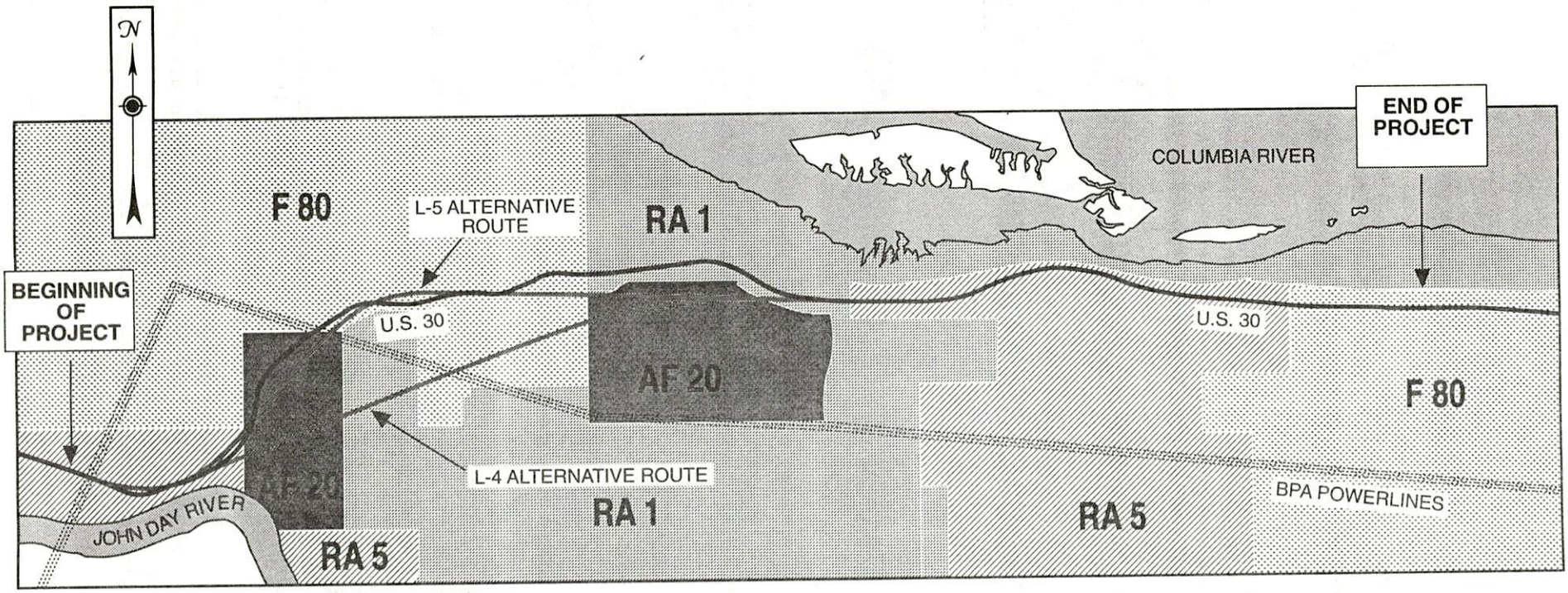
Existing Land Use and Zoning

According to the Clatsop County Comprehensive Plan, and the Land and Water Development and Use Ordinance, the proposed project would traverse land zoned by Clatsop County as RA-1, RA-5, AF-20, and F-80 (Figure 7). These zones are defined as:

> Residential Agriculture-1 **(RA-1)**. RA-1 is a zone intended to accommodate the immediate foreseeable demand for low density rural residential development. The lot size is one to two acres depending on whether one or two families are dwelling on the lot. The land in this zone is being used as home sites.
>
> Residential Agriculture-5 **(RA-5)**. RA-5 is a zone intended to accommodate larger residential rural parcels. The lot sizes are five acres. The land use is primarily rural residences.
>
> Agriculture Forest-20 **(AF-20)**. AF-20 zone is intended to provide for small scale forest management and agriculture where parcel size and ownership patterns are not appropriate for larger-scale commercial practices such as those in the F-80 zone. The lands in this zone are being used as for small scale commercial forest.
>
> Forest-80 **(F-80)**. The F-80 zone is intended for large-scale commercial forest management where parcel size and ownership patterns are adequate to support such activities. The minimum lot size is 80 acres. The current use in this zone is larger parcel commercial forest land.

FIGURE 7

LAND USE ZONING



SCALE

0 1/4 1/2 1

MILES

LEGEND

- AF 20
- F 80
- RA 1
- RA 5

Impact on Land Use

Eastern Half of the Project

On the eastern half of the project (Figure 7) both build alternatives follow the existing alignment. The immediate impact of the proposed project would be to change some narrow strips along the existing highway from their current land use to transportation use as the result of additional right-of-way requirements (Appendix B presents the two Build Alternatives and property lines). Development of more intense use at the intersection of Claremont Road may be encouraged with the rerouting of traffic from Fernhill Road to Claremont Road. More long-term land use changes may occur as part of local growth trends.

Western Half of the Project

In the western half of the project, both alignments depart from the existing alignment. In the area where the L4 alignment diverges the most from the existing roadway, the alignment traverses primarily resource lands. The 1991 Forest Practices Act requires a 150-foot visual buffer strip along scenic corridors such as Highway 30. There may be economic incentives to log forest lands prior to construction of a new roadway to avoid the possibility that a parcel severed by the new roadway would later be inaccessible. Appendix B shows the property lines traversed by the proposed build alternatives. ODOT's access control policies would discourage uses of resource lands other than those permitted by the Clatsop County land use ordinance.

Consistency with Comprehensive Plan

Both the L4 and L5 alignment would be permitted in the RA-1 and RA-5. In these zones the improvements meet the provisions of the County Comprehensive Plan, subdivision development and road standards. In the F-80 and AF-20 zones, highway improvements are not listed as a use that would be permitted outright or conditionally and thus both options would require at least a plan amendment.

Clatsop County's transportation element in their Comprehensive Plan does not specifically address this project, but there are plans to include this project in the plan according to the Clatsop County Planning Director. Cities and counties are directed in the Transportation Planning Rule to prepare and adopt transportation system plans (TSP) for lands under their jurisdiction. Because Clatsop County's Comprehensive Plan designates AF-20 and F-80 lands as rural forest lands and conservation forest lands, transportation improvements must adhere to the Transportation Planning Rule and be consistent with the state TSP. The consistency with the state TSP is discussed in the section "Transportation System Plans."

Consistency with Farmland Protection Policy Act

In order to determine if the Farmland Protection Policy Act applied to the area in and around the proposed project, a review was made of the following:

* National Wetlands Inventory, U.S. Department of Interior, Fish and Wildlife Service, 1989.

* Soil Survey, Single Phase Interpretation Sheet, User's Guide, U.S. Department of Agriculture, Soil Conservation Service, August, 1986.

* List of Prime and Unique Farmland Soils, U.S. Department of Agriculture, Soil Conservation Service, March, 1986.

The review of this literature revealed that no prime farmland soils exist in and around the proposed project. Alternative L4 would convert 1.4 acres of statewide important soils while Alternative L5 would convert 0.8 acres. A Land Evaluation has not been completed for Clatsop County.

TRANSPORTATION PLANNING RULE, LCDC GOALS, TRANSPORTATION SYSTEM PLANS, STATE AGENCY COORDINATION PROGRAM, OREGON BICYCLE PLAN, AND CONSISTENCY WITH THE COASTAL ZONE MANAGEMENT ACT

Transportation Planning Rule

The Transportation Planning Rule (OAR 660, Division 12) is a provision to assure that comprehensive plans provide for a network of transportation improvements that meet identified local, regional, and state transportation needs. The Transportation Planning Rule requires coordination between ODOT, county, cities, and metropolitan planning organizations when developing projects to assure that local, regional, and statewide needs are being considered. This helps ensure that the transportation system is adequate to support planned land uses and that land uses, in turn, are consistent with the function and capacity of the planned transportation systems. The rule also helps avoid the pressure for urbanization and conversion of farm and forest land to urban uses by strictly limiting access from planned transportation facilities in rural areas.

Section 660-12-065 of the Transportation Planning Rule identifies the types of transportation improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 (defined in the next section). The rule definitions that apply to this project are:

Major improvement - means **major realignment**; addition of travel lanes; and new interchanges and intersections.

Major realignment - means a realignment where the center line of the roadway shifts outside the existing right of way for a distance of one half mile or more and the replaced road segment is either abandoned or modified to function as an access road.

State highways of regional or statewide significance - means highways identified in ODOT's Highway Plan as interstate highways, Access Oregon Highways, and highways of statewide or regional significance.

The L4 alternative is a "major realignment." Both the L4 and L5 alternatives are "major improvements." The abandoned portion of the existing road for both options would either function as an access road or be removed (Figure 4 and 5). Highway 30 is designated by ODOT as an Access Oregon Highway.

Land Conservation and Development Goals

This project affects lands classified in the Clatsop County Plan as rural (RA-1 and RA-5) and forest lands (AF-20 and F-80). Pertinent Land Conservation and Development goals are 4, 11, and 14.

Goal 4 - Forest Lands

Section 660-12-065 (3) defines those transportation facilities and improvements that are consistent with Goal 4 and may be sited on forest land. The types of highway improvements permitted outright or conditionally are on land zoned for forest use are listed in OAR 660, Division 6 and 215.213 (2), (q) - (s).

Alternative L4

Since Alternative L4 is considered a "major realignment" in the Transportation Planning Rule and would create new parcels on forest lands, a Goal 4 exception would be required. Where an exception is required to Goals 3, 4, 11, or 14, the exception shall be taken pursuant to 197.732 (1) (c) plus the requirements of OAR 660-04-020, 660-04-022, and 660-12-070. These requirements are listed in Appendix C. The basis for the goal exception for this alternative would be the premise that alternatives that do not require an exception (No-Build and L5) cannot reasonably accommodate the proposed transportation improvement. The reasonableness is based on cost, operational feasibility, economic dislocation, environmental impacts and energy consumption. Comparisons of L4, L5, and No-Build alternatives are presented in Table 1. Table 1 indicates that the L5 alignment is the least reasonable Build Alternative because of a higher risk of differential settlement and greater construction staging problems.

Alternative L5

On land zoned for forest use, transportation facilities that involve minor realignment and the addition of climbing and passing lanes are permitted conditionally under OAR Section 660-06-025 (4) (u) and ORS 215.213 (2) (q). A conditional use permit would be subject to a plan review by the County Planning Director and would require public notice, but no public hearing. Conditions for approval could include identification of suitable borrow and fill sites.

Goals 11 and 14 (Public Facilities and Services and Urbanization)

Section 660-12-065 (4) identifies those transportation facilities and improvements that are consistent with Goals 11 and 14 and located on rural lands. Section 660-12-065 (4)(r) permits "Major road improvements to state highways of regional and statewide significance as provided in the requirements of subsection (6)." Both the L4 and L5 alternatives meet the requirements of subsection (6). The requirements include reduction and

TABLE 1. COMPARISON OF THE IMPACTS FOR BUILD AND NO–BUILD ALTERNATIVES

IMPACT	NO–BUILD	L4	L5
Construction Cost	N/A	$6.6 million	$6.3 million
Engineering Feasibility (construction, staging, and maintenance of the roadway)	Non standard design, very curvy, would require continued maintenance in settlement and slide areas.	Preferred alignment, no staging problems expected, and would require the least maintenance.	Less desirable build alignment, significantly more staging problems on the west half of the section, and would require most maintenance of the build options.
Energy Efficiency (time and distance for commuters and commercial truck traffic)	Very Curvy Travel Speed 45 mph	Straightest Route, Travel Speed 55 mph.	Significant improvement over No–Build, travel speed 55 mph.
Geological Hazard (existing and future slumping and settlement problems)	History of slides and highway settlement problems	Least potential for slide and settlement problems.	Differential settlement expected between existing and new roadway and greater slide potential than L4 on west half.
Meets Highway Corridor Goals	No	Yes	Yes
Accommodates Alternate Modes of Travel (Bicycles)	No	Yes, 8–foot shoulder/bikeways	Yes, 8–foot shoulder/bikeways
Wetland Impacts (acres/quality)	0	3.3/Low	1.9/High
Level of Service/Speed (mph) for 1995 (2015)	E/45 (E/45)	B/55 (C/55)	B/55 (C/55)
Residential Relocations (no business impacts)	0	2	3
Land Use Compatibility	N/A	Would require plan amendment, conditional use permit, and Goal 4 exception	Would require a plan amendment and conditional use permit

consolidation of access points, and the new alignment must not create additional parcels with direct access to the highway.

State Agency Coordination Program

ODOT has adopted rules to implement the provisions of its State Agency Coordination Program (OAR 731, Division 15). The Department of Transportation's rules require early coordination and agreement between ODOT and local jurisdictions regarding the land use requirements which must be met for improvements to existing facilities or siting new facilities. The scope and objectives of the proposed project have been discussed with the Clatsop County Planning Department. While no formal agreement is in force between Clatsop County and ODOT, potential conflicts and a process for any permits that might be required have been discussed. Clatsop County is in the process of including this project in the County's Comprehensive Plan. The Transportation Planning Rule directs that project plans and goals be compatible with acknowledged local comprehensive plans. Disagreements between ODOT and affected local government plans would be resolved in a manner established in Oregon Administrative Rule (OAR) 731, Division 15.

Transportation System Plans

The Transportation Planning Rule directs ODOT to prepare a State Transportation System Plan (TSP) in accordance with ORS 184.618. The State is directed to identify a system of transportation facilities and services adequate to meet the identified State transportation needs. The 1991 Highway Plan is the TSP for the State Highway System.

The Transportation Planning Rule (660-12-055 (2)) also requires that cities and counties outside of Metropolitan Planning Organizations (MPO) adopt regional and local Transportation System Plans (TSP) and implementing measures by 1996. This project would need to be consistent with those plans. Clatsop County did not have a plan when this document was prepared. The County has hired a consultant to prepare a plan that complies with the Transportation Planning Rule and incorporates this project into the TSP.

The TSP shall include the Oregon Transportation Plan, modal systems and transportation facility plans. The policy element defines policies and actions for the State over the next 40 years. The modal element includes plans and policies for each mode of transportation. Facility plans are for transportation facilities, airport master plans and highway corridor plans. Oregon's transportation system includes an interconnected network of high speed corridors. The Access Oregon Highway (AOH) system was established to link major economic and geographic activity centers. Highway 30 is an AOH Corridor. The goals for this corridor are listed in Project, History, Purpose, and Need. The proposed build alternatives meet these goals, while the no-build alternative does not.

Oregon Bicycle Plan

Highway 30 is a statewide bicycle route. The Oregon Bicycle Law (ORS 366.514) mandates that bicycle facilities be built in conjunction with all construction, reconstruction, or relocation roadway projects. The proposed

project's eight foot shoulder/bikeways would enhance the safety of this section for bicycle users.

Consistency with Coastal Zone Management Program

This project lies within Oregon's coastal zone and is therefore under the jurisdiction of the Oregon Coastal Management Program and the provisions of the Coastal Zone Management Act (15 CFR 923.80). The program integrates State laws for managing resources. These laws include Oregon's Statewide Planning Goals, County Comprehensive Plans, Natural Hazards (i.e. Floodplain Management and Landslide Hazard), and Waterway Permits (i.e. regulations such as Removal and Fill Laws). This project would comply with Statewide Planning Goals, permits would be obtained to meet removal and fill laws, and the project is being incorporated into the County Comprehensive Plan. Thus, the project is consistent with the intent of the Coastal Zone Management Act.

IMPACT ON RIVERS, STREAMS, WATER QUALITY, GROUNDWATER, FLOODPLAINS, WETLANDS, ESTUARINE LANDS, THREATENED OR ENDANGERED SPECIES, HABITAT, OR OTHER NATURAL RESOURCES

Rivers and Streams

The proposed project area is located sufficiently distant from both the John Day River and the Columbia River, that there would be no adverse impact on these waterways. Potential impact to an unnamed drainage near the west end of the proposed project would be minimized through mitigation efforts by using water trucks during construction for dust control and by enforcing adherence to contract specifications (ie. keeping construction equipment out of any and all posted no-work zones). See also the "Aquatic Resources" section of this report under the heading "Summary of Proposed Mitigation Measures."

Water Quality

Water quality concerns are minimal because the anticipated traffic level on the project road will remain well below the critical level for generating toxic concentrations of pollutants in the runoff. The threshold is generally considered to be 30,000 ADT. The expected ADT is 9,900 in 2015. In addition, runoff would be directed to vegetated roadside ditches. When vegetated, the ditches would provide very effective pollutant removal functions. Those wetlands receiving highway runoff from roadside ditches would receive water already filtered. See also the "Aquatic Resources" section of this report under the heading "Construction Impacts and Staging" and "Summary of Proposed Mitigation Measures."

Groundwater

Highway runoff has not been shown to produce toxic effects when traffic volumes are below 30,000 vehicles per day. Since the projected ADT for the proposed project is 9,900 for the year 2015, no measurable adverse impacts

to the groundwater are anticipated. A further reduction in potential adverse impacts to the groundwater would be afforded in areas where wetlands provide a natural filter for highway runoff. See also the "Aquatic Resources" section of this report under the heading "Summary of Proposed Mitigation Measures."

Floodplains

The roadbed at the western end of the proposed project would traverse land that has been designated as being within the regulatory 100-year floodplain. This section would require protection from high waters, in the form of rip rap and toe trenches with filter blankets at embankment bases. The proposed project would have no impact on any designated or proposed regulatory floodways. Clatsop County has establish a Flood Hazard overly zone in areas identified on Flood Boundary and Floodway Maps. Development permits will be reviewed by the County Planning Director after determination that the project will be flood proofed as certified by a registered engineer. See also the "Floodplains and Floodways" section in this report under the heading "Summary of Proposed Mitigation Measures."

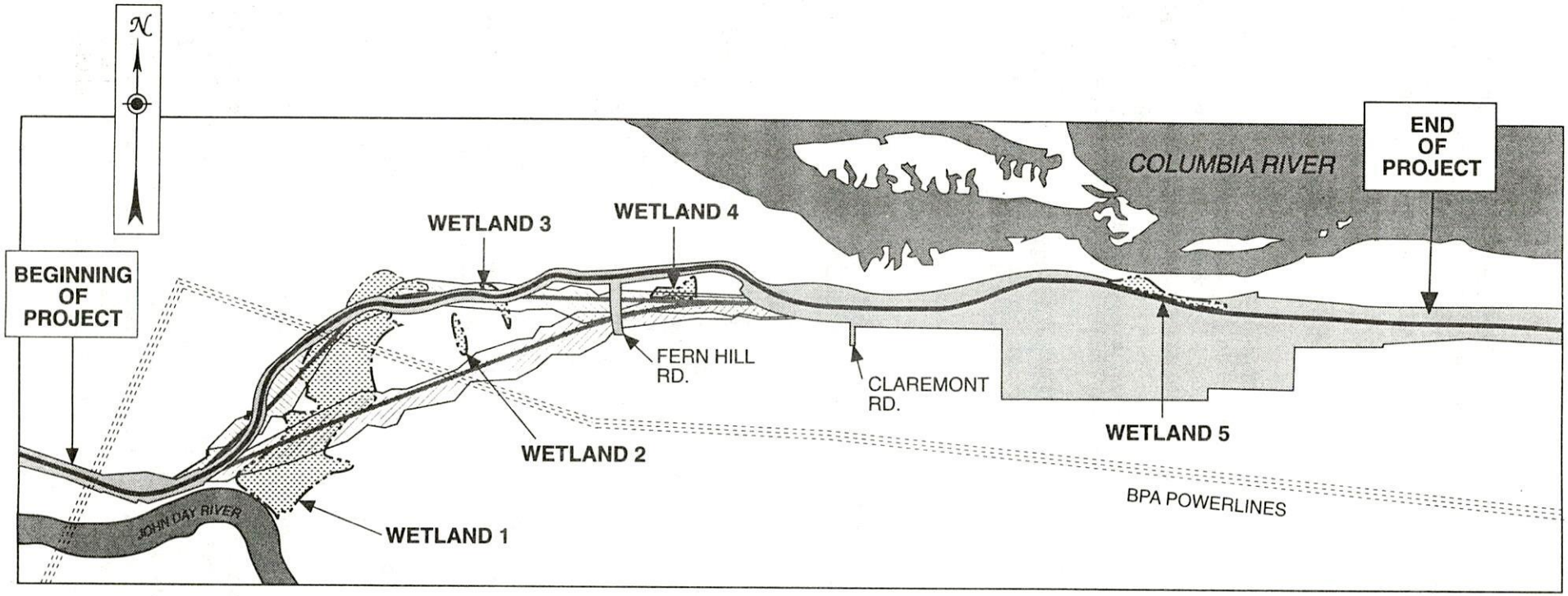
Wetlands

There are five wetland areas within the project area (Figure 8). Wetland 1 has three major habitat types: forested swamp dominated by 50 to 70 foot red alder (Alnus rubra) and western hemlock (Tsuga heterophylla); scrub-shrub swamp dominated by Douglas spirea (Spiraea douglasii); and emergent marsh dominated by meadow foxtail (Alopecuras pratensis). Wetland 2 is dominated by small red alder, salmonberry (Rubus spectabilus) and willow (Salix spp.). Wetland 3 is in a small drainage that feeds Wetland 1 and consists of salmonberry and skunk cabbage (Lyshichitum americanum). Wetland 4 can be classified as a palustrian scrub-shrub wetland that is dominated by red alder, salmonberry, and skunk cabbage. Wetland 5 is dominated by red alder, red-osier dogwood (Cornus stolonifera), spiraea, salmonberry and slough sedge (Carex obnupta).

Either build alternative of the proposed project would impact wetland areas. Alternative L4 would impact approximately 3.3 acres of wetlands, whereas Alternative L5 would impact about 1.9 acres of wetland areas (Figure 8). Most of the wetlands impacted by the L4 option are less diverse emergent wetlands (2.3 acres). The remaining acre of impacts are forested wetland (0.6 acres) and scrub-shrub (0.4 acres). The trees in the forested part of the L4 impacted wetlands are dying and being converted to scrub-shrub wetland.

Although less wetland is impacted by the L5 alternative, the scrub-shrub wetland is more diverse. Most of the impacts (1.5 acres) of the L5 option are in the scrub-shrub community in Wetland 1 (Figure 9). The remainder of the impact is to forested wetland (0.2 acres) and scrub-shrub (0.2 acres). Despite the higher quality of the L5 impacted wetlands, the cost of mitigating the L4 wetlands would be greater (See "Summary Proposed Mitigation Measures"). Similarly, the volumes of fill in the wetlands depends on which alternative is considered. [See also the "Wetlands" section of this report under the heading "Summary of Proposed Mitigation Measures"].

FIGURE 8
WETLAND AREAS



SCALE

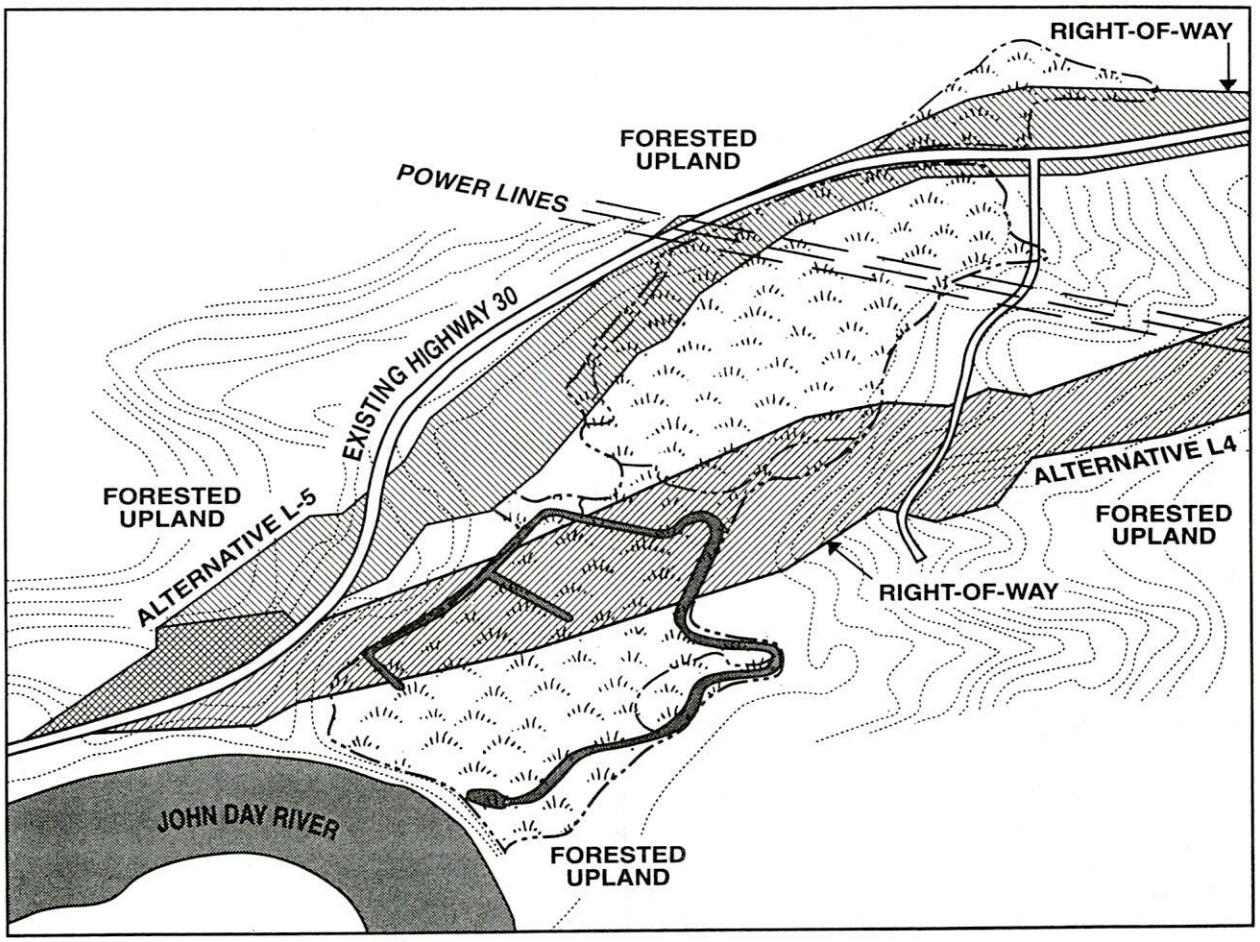
0 1/4 1/2 1

MILES

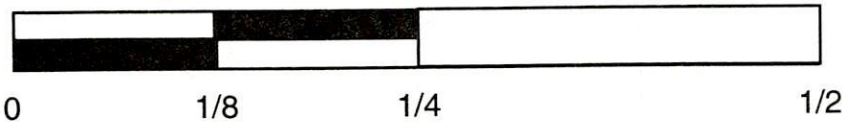
LEGEND

- EXISTING U.S. 30 RIGHT OF WAY
- L-4 ALTERNATIVE CORRIDOR
- L-5 ALTERNATIVE CORRIDOR
- WETLAND LOCATIONS

FIGURE 9
WETLAND AREA 1



SCALE



MILES

LEGEND

WETLANDS
L-4
L-5

Estuarine Lands

Either build alternative of the proposed project would be far removed from any recognized estuarine lands and thus no impacts are anticipated.

Threatened or Endangered Species and Other Natural Resources

Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended, the Oregon Department of Transportation, acting as an agent of the federal government, has submitted a biological assessment to the U.S. Fish and Wildlife Service for review on the peregrine falcon (Falco peregrinus) and bald eagle (Haliaeetus leucocephalus).

The biological assessment concludes that the project would not affect the peregrine falcon. No adverse impacts to peregrines are anticipated. (See also the "Threatened and Endangered Species" section of this report under the heading "Summary of Proposed Mitigation Measures.")

The project is located within a portion of a bald eagle nesting territory. In recent years a bald eagle sanctuary has been established in a portion of this territory, and the site contained an active nest. Recently this nest tree was destroyed and the eagles are reported to have selected another nest tree, one that has historically been productive for many years. At the present time, there are no known nests close enough to the project to require any seasonal or area limitations, or modifications of normal highway construction activity. Because there remains the possibility that this pair of bald eagles may again construct a nest close enough to the highway project to require some form of restriction, it will be necessary to locate the active nest of this pair of eagles during the breeding season immediately prior to construction. Construction restrictions may then be necessary to protect the bald eagle nest.

IMPACT ON PARKS, HISTORIC PROPERTIES, ARCHEOLOGICAL RESOURCES, OR SCENIC RESOURCES/AESTHETICS

Parks

There are no local, county, state, or federal parks located near the project. Therefore, the proposed project would not have any impact on parks.

Historic Properties

The project area contains no historic resources either listed or eligible for the National Register of Historic Places, or included in Statewide Inventory of Historic Properties or Clatsop County's Comprehensive Plan. Consequently, no mitigation is proposed or required.

An historic survey of the project area was conducted in April 1991. Two properties were identified: the Fern Hill Progressive Club Hall, built in 1932, and an original section of the Columbia River Highway built in 1914. Neither Build Alternative would affect the original highway segment. Alternative L5 would displace the former Fern Hill Progressive Club building. This building is now a private residence. The State Historic Preservation Office (SHPO) concurred with the ineligibility of the club hall building and the lack of effects on National Register eligible resources. The letter of concurrence is attached in Appendix D.

Archeological Resources

An archeological reconnaissance was completed for the proposed project area and no sites were found. In the event that previously unidentified archeological resources or burial sites are discovered during project construction, the authorities at the Oregon State Museum of Anthropology and the State Historic Preservation Office (SHPO) would be notified. Construction at the discovery site would cease, and would resume only when any recommended salvage and/or mitigation procedures had been completed and approved by SHPO. All provisions of the National Historic Preservation Act would be followed if disposal sites contain cultural resources.

In the event that a human burial is found, the State Historic Preservation Office and the Oregon State Museum of Anthropology would be contacted. The Museum would identify the remains as Indian or non-Indian. If Indian, they would be reported to officials of the Commission on Indian Services in Salem for determination of the appropriate Indian tribe. The appropriate tribe would be contacted for reinterment actions. If non-Indian, they would be reported to the local sheriff's office. Any necessary reinterment provisions would be completed prior to resumption of project construction at that site.

If construction uncovers fossilized bones or other material of paleontological importance, the Oregon State Museum of Anthropology would also be notified for appropriate assessment, action, and coordination with other interested state agencies.

Scenic Resources and Aesthetics

The major scenic features along this stretch of roadway are wetlands, forest lands, and the John Day and Columbia Rivers. Although either build alternative of the proposed project would involve some wetland impacts, the proposed wetland impact mitigation plans would result in no net loss of wetland areas. In some cases the views of wetlands and the two rivers from the road would be improved. Where either river is visible from the road, the motorist would be able to see it better. Wider shoulders and straighter alignment would afford drivers more opportunity to view scenery. In forested areas a visual buffer barrier is required by the Forest Practices Act. Because of this, construction of either build alternative should have a negligible impact on the view of the natural resources in the area.

MATERIALS AND SOURCES; BORROW AND WASTE DISPOSAL

Materials and Sources

Both natural and man-made materials would be incorporated into the proposed project. The natural materials will be derived from the project area. In areas that require light-weight fill, shredded tires may be used. Some of these details are discussed in the following geotechnical analysis.

Borrow and Waste Disposal

The borrow and waste disposal site(s) and quantities would depend on which build alternative is constructed. For the L4 option there would be 14,700 cyds of excess material. The disposal site would meet all applicable environmental regulations. For the L5 alternative the project would be nearly balanced with 200,175 cyds of cut and 200,000 cyds of fill.

GEOTECHNICAL AND SOIL CONCERNS

General Site Conditions in the Project Area

Topography in the area is characterized by ridges and valleys formed by periodic Columbia and John Day River flooding and landslide activity. Landslide activity in the area is responsible for the hummocky appearance of slopes. Numerous slide scarps are evident near the ridgetops and an 80-foot scarp is evident south of the project and east of Claremont Road.

Water in the project area is prevalent in the form of the Columbia and John Day Rivers, small unnamed streams, wetlands, and springs observed on hillsides. Subsurface groundwater conditions fluctuate with seasonal rainfall.

Rainfall in the project area is heavy, averaging about 80 inches per year. Temperatures are moderate. The average winter temperature is about 45 degrees and the average summer temperature is about 60 degrees. The vegetation in the area is predominantly dense groves of fir and alder.

Geology and Soils

The bedrock geology in and around the proposed project area consists of marine and non-marine, late Cenozoic sedimentary rocks. These rocks include sandstone, siltstone, and shale, whose degree of induration, or cementation, is not great. The combination of relatively weak bedrock, and deep, highly compressible soils, leads to conditions in which slope stability and landslides are a concern. Overlaying the slide prone rocks are recent alluvial sediments in the low lying area and residual soils and/or slide deposits on the slopes and ridges. The alluvial sediments in the wetlands areas at the west end of the project consist of about 60 feet of compressible organic to non-organic clay silt. The residual soils are composed of between 15 and 100 feet of clay and clay silt derived from the weathering of siltstone rock.

The entire section of roadway east of Fernhill Road rests on a ancient slide. The toe of this slide may be in the Columbia River north of the highway. During the winter of 1969-70 a major landslide occurred during a highway construction project from just east of Claremont Road, and extending easterly beyond the eastern limits of this project. Currently small portions of the landslide are moving and the entire slide mass is considered marginally stable.

Along the L4 alignment the major geotechnical concerns are settlement and stability. Large cuts (up to 50 feet) and embankments (up to 35 feet) would require special mitigation measures. In some areas embankment heights would be kept below 10 feet. Embankment would be designed with 4:1 or flatter slopes. Rock blankets or inlays may be required to prevent slope failure. Settlement areas, particularly on the western end of this alignment, would require treatment such as wick drains and surcharge fills. Embankment stabilization measures, such as flatter slopes and counter balances, would be required. The east end of the alignment is marginally stable to unstable. Earthwork in this area would be balanced (equal cut and fill) and in areas of embankments greater than 10 feet, lightweight fill may be used to avoid reactivation of the slide problems. Along the L5 alignment the concerns are similar except that the L5 alignment is more adjacent to the existing alignment. The L5 alignment, is likely to experience some differential settlement between existing and new roadway embankments.

POTENTIAL PRESENCE OF HAZARDOUS MATERIALS

Two documented hazardous waste spills occurred in the project area along the existing highway. The first of these spills occurred on June 13, 1983 at M.P. 91.0, in the vicinity of the intersection of U.S. Highway 30 and Claremont Road. A tanker truck overturned and discharged 5,500 gallons of AR-4000W liquid asphalt onto the road and into adjacent roadside ditches and a culvert. The State Department of Environmental Quality (DEQ) investigated this site and determined that negligible environmental impact had occurred. DEQ required the responsible party, to remove the "tar" and dispose of it properly.

A second documented spill occurred on May 27, 1985, at M.P. 91.3, about 300 feet east of the intersection of Highway 30 and Fernhill Road. This incident involved the accidental release of nearly 5,000 gallons of gasoline of which 1,537 gallons was absorbed into the ground on the side of the road. A consulting firm, Roger N. Smith Associates, was retained to perform remediation of the spill. The location of the spill and the affected ground are outside the proposed right-of-way limits for both the L4 and the L5 alignments. Therefore, no right-of-way acquisition or construction problems are anticipated as a result of this spill.

IMPACT ON TRANSPORTATION (TRAFFIC VOLUMES, TRAFFIC SPEEDS, FLOW PATTERNS, SAFETY, ACCESS, AND RAILROADS)

Traffic Volumes and Speeds

Traffic volumes are expected to increase from an average daily traffic (ADT) count of 6,400 in 1991, to 9,900 by 2015 (Figure 10). The current level of service (LOS) in this area is an "E" and is expected to remain an "E" through 2015 without improvements. Under either build alternative, the LOS would improve to a "B", decreasing to "C" by 2015. At present, there are several curves which have 30 to 35 mph speed advisories, with sight distance over most of this section being limited. The current average speed for traffic in this area is estimated to be 45 mph in the western half of the project, and the projected average speed for the year 2015, under the No-Build scenario, is 42 mph. Under either build alternative, the average speed of traffic is expected to increase to 55 mph (through 2015) after the project is built.

Traffic Flow Patterns

Traffic flow patterns would change considerably between Fernhill Road and Claremont Road. One of the two "T" type intersections on the existing section would be eliminated (Fernhill Road) (Figures 4 and 5). Fernhill Road traffic would be rerouted along a frontage road to Claremont Road to eliminate sight-distance problems at the Fernhill Road intersection. Residences west of Fernhill Road would have more out-of-direction travel with either build alternative. A left-turn refuge and right-lane deceleration zone eastbound would improve the safety of egress from the highway. Ingress safety would be improved considerably by improved sight distance at the Claremont Road intersection.

Safety

The accident rate for this section is slightly higher than the statewide rate (1.13 accidents per million vehicle miles (a/mvm) versus 1.05 a/mvm). More wet road and nighttime accidents occur than would be expected for a typical coastal highway. Either build alternative would straighten and widen the roadway. Both improvements should yield a lower accident rate for the section. A frontage road to reroute traffic to the Claremont Road would alleviate the problem of traffic entering Highway 30 in the middle of a climbing lane. Traffic entering the highway at Claremont Road would have better visibility than at Fernhill Road.

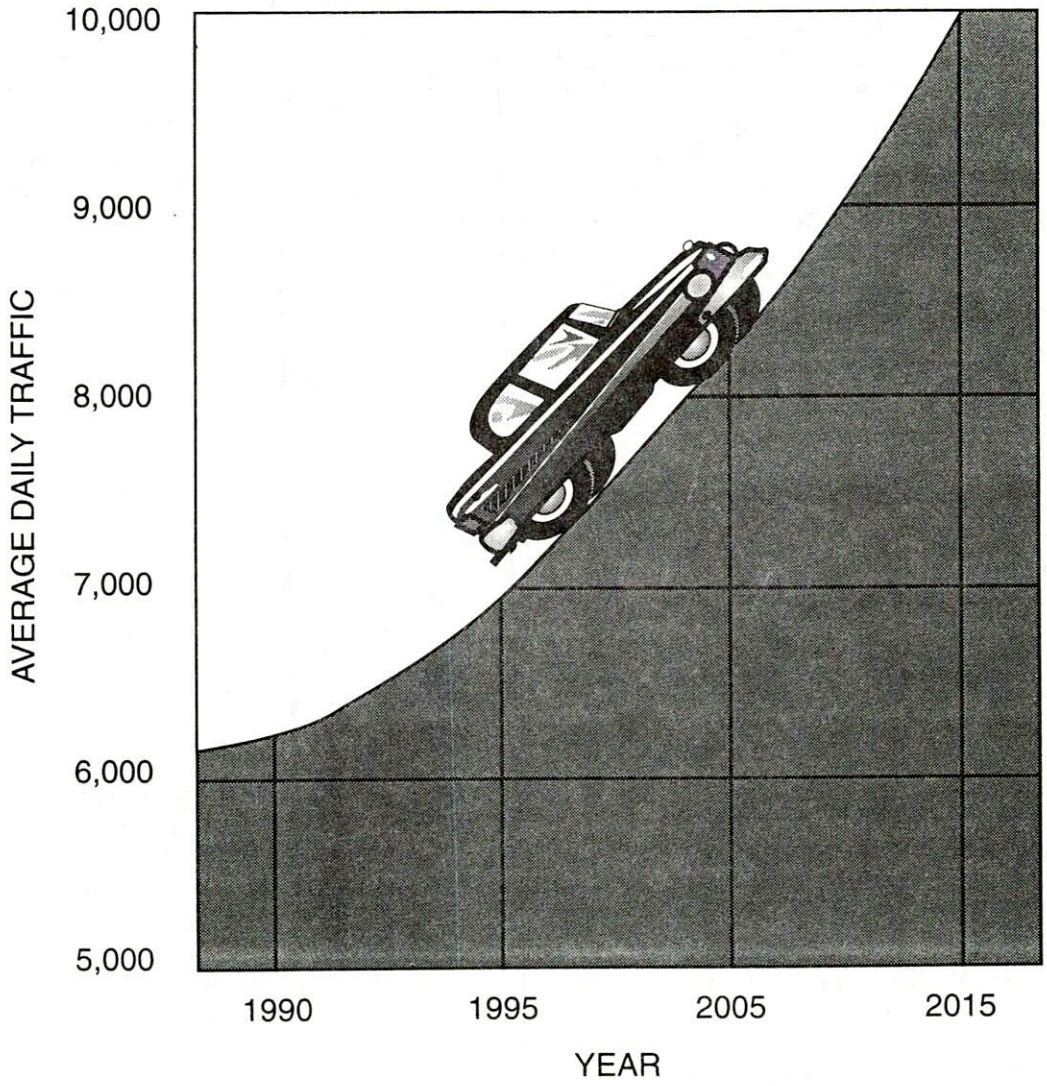
Access

Fifteen access points to the highway would be eliminated with the L4 alternative and fourteen with the L5 alternative.

FIGURE 10

TRAFFIC PROJECTIONS

FERN HILL TO JOHN DAY RIVER BRIDGE



Railroads

There are no railroad grade crossings now and would be none under either build alternative.

CONFORMANCE WITH AIR QUALITY STANDARDS

The Department of Environmental Quality has designated the proposed project area as being in attainment of the National Ambient Air Quality Standards (NAAQS) for all transportation-related air pollutants. Based on the predicted average daily traffic (ADT) for the proposed project, current Statewide Air Quality Report regulations (SAQR, January, 1989) are applicable. Predicted pollutant concentrations for all SAQR-applicable projects are well below the NAAQS for future years. Therefore, the proposed project is determined to be in compliance with all pertinent federal and state regulations regarding air pollution, and is predicted to remain in attainment of the NAAQS through the design year of 2015. Due to its applicability under the SAQR, this project does not require an individual air quality analysis. See also the "Air Quality" section of this report under the heading "Summary of Proposed Mitigation Measures."

TRAFFIC NOISE

Predicted noise levels for each of the build alternatives in the year 2013 during peak truck hour conditions indicate that traffic noise levels would exceed the FHWA noise abatement criteria (Leq 67 dBA) in the outdoor activity areas at three residences located in the project study area (Figure 11). Noise mitigation efforts were considered to reduce the traffic noise at the residences. Appendix E lists common sounds and their associated noise levels in dBA.

An earth berm and a concrete sound wall were evaluated to reduce noise levels at three residences. An earth berm 8 feet high and about 1000 feet long was considered, but was determined to be infeasible. The berm would be too wide to fit between the proposed roadway and the residences under either of the build alternatives. A sound wall 8 feet high and 1000 feet long, located along the proposed right-of-way line would reduce noise levels by about 10-11 dBA, from Leq 67-69 dBA to Leq 57-59 dBA*. The cost of a sound wall for either of the build alternatives is estimated to be $175,000, with a cost-effectiveness of $6750-7000 per dBA reduction per residence. The cost of construction for a sound wall for the residences was determined to outweigh the acoustic benefits of the barrier.

Because the normal noise mitigation efforts considered were determined to be either infeasible or not cost-effective, construction of concrete GM-type barriers as partial noise abatement measures were considered. The acoustic effects of 3-foot and 4-foot GM barriers were evaluated to reduce traffic

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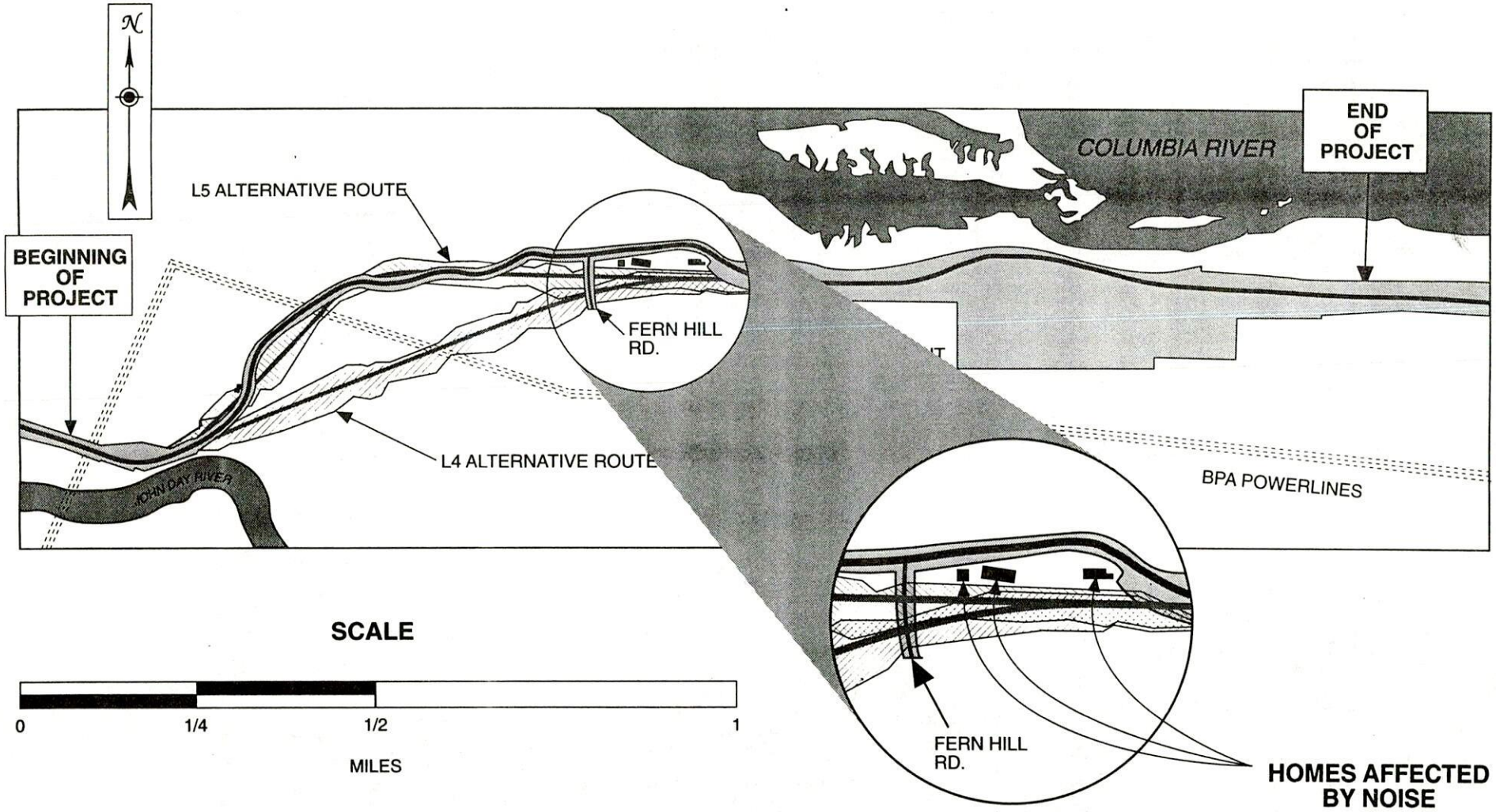
* Leq is a noise level descriptor representing the average sound energy level equivalent to a varying sound level occurring over a given time, as measured in decibels weighted on the "A" scale (dBA). The dBA scale approximates human hearing. An increase of 3 dBA is noticeable, and a 10 dBA increase is normally perceived as a doubling of loudness.

FIGURE 11
NOISE IMPACTS



noise for the impacted residences. Since the new roadways proposed for this area would be built on fill sections from 6 to 25 feet above the level of the residential activity areas, even the relatively short height of a GM barrier would partially break the line-of-sight between the residences and most of the traffic, and would therefore provide some reduction in traffic noise. A 3-foot GM barrier along the edge of the roadway for either of the build alternatives would reduce traffic noise by 5 to 6 dBA at two of the residences, from Leq 67-69 dBA to Leq 61-63 dBA, but would not reduce noise levels for the third impacted residence.

A 4-foot GM barrier along the edge of the roadway for either of the build alternatives would reduce traffic noise by 6-7 dBA at two of the residences, from Leq 67-69 dBA to Leq 61-62 dBA, and would reduce noise levels at the third residence by 1 dBA, from Leq 67 dBA to Leq 66 dBA. A 3-foot GM barrier at this location for either of the build alternatives is estimated to cost about $12,000, with a cost-effectiveness of $1000-1100 per dBA reduction per residence. A 4-foot GM barrier at this location for either of the build alternatives is estimated to cost about $14,000, with a cost-effectiveness of $1000-1080 per dBA reduction per residence. (Note: the cost estimates presented for the GM barrier designs represent the difference in cost between GM barriers and the normal Type 2A (timber/galvanized steel) guardrail already proposed for this project section.)

Both the 3-foot and 4-foot barrier designs provide some reduction in traffic noise for the residences, and both designs were determined to be cost-effective. Based on the high cost-effectiveness of the GM barrier designs, and the ability of both the 3-foot and the 4-foot barriers to reduce traffic noise levels at the residences, construction of either the 3-foot or the 4-foot GM barrier as a traffic noise abatement measure is recommended for inclusion in the project. The 4-foot GM barrier is the preferred design, because it provides more noise reduction for only an additional $2000 cost. Property owners would have to concur on the construction of a noise wall.

STAGING

Some traffic delays could be expected during construction of either build alternative of the proposed project. No detours would be necessary. Concerns about the L4 alignment include bisecting the wetland area, and geologic instability of the eastern end of the section, and cut slopes in the alignment.

Staging concerns for the L5 alignment include possible geologic instability, fill in wetland areas, and problems with the different settlement rates between areas of the old highway fill and fill from the new section. Possible difficulty in staging construction is anticipated.

Construction will be staged with the implementation of temporary traffic control devices, flagging, and signing for detours.

CONSTRUCTION IMPACTS

Air

Dust control measures, such as watering, will be used as needed during construction.

Aquatic Resources

The following conditions will be observed during construction:

1. All work in the water will be confined to the low flow period between June 1 and October 15, or as otherwise specified by the Oregon Department of Fish and Wildlife.

2. Conform to conditions of NPDES 1200-CA construction site permit for erosion and sediment control.

3. Adequate measures will be taken to minimize turbidity which could arise during construction. These include prevention of eroded sediment from leaving the construction site and deterrence of turbidity increases to less than 10% of background.

4. No pollutants of any type, such as petroleum products, fresh concrete, silt, etc. will be allowed to enter the waterway.

5. Soils disturbed by the project will be stabilized and vegetation replanted as soon as it is practicable.

6. All project debris will be removed from the stream.

Additional protective measures are listed in the Oregon Department of Transportation Hydraulics Manual (1990), pages 2-4, 2-5, and 2-6, Portland's Erosion Control Plans and Technical Guidance Handbook , and the ASHTO Model Drainage Manual.

Archeological and Cultural Resources

If archeological resources or burial sites are discovered during construction, the Oregon State Museum of Anthropology, State Historic Preservation Office (SHPO), and the Oregon Department of Transportation would be notified. Construction at the discovery site would cease, and would resume only when SHPO has completed and approved any recommended salvage and/or mitigation procedures. All provisions of the National Historic Preservation Act would be followed if disposal sites contain cultural resources (See section 170.50 of the 1991 Standard Specifications for Highway Construction).

Erosion and Environmental

The amount of bare ground exposed at a given time will be kept to a minimum as directed by the Project Manager. The contractor may be required to

spread straw or other material on exposed areas or to provide other temporary erosion control measures. Bales of straw will be placed as needed at the base of bare slopes to protect waterways and wetlands from excessive siltation. The contractor will be required to prevent the spilling or dumping of petroleum products or other polluting or toxic agents.

Noise

The following construction noise abatement measures will be included in the project specifications:

1. No construction shall be performed within 1,000 feet of an occupied dwelling unit on Sundays, legal holidays and between the hours of 10:00 p.m. and 6:00 a.m. on other days without the approval of the project manager.

2. All equipment used shall have sound control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.

3. All equipment shall comply with pertinent equipment noise standards of the U.S. Environmental Protection Agency.

4. No pile driving or blasting operations shall be performed within 3,000 feet of an occupied dwelling unit on Sundays, legal holidays and between the hours of 8:00 p.m. and 8:00 a.m. on other days, without the approval of the project manager.

5. The noise from rock crushing or screening operations performed within 3,000 feet of any occupied dwelling shall be mitigated by strategic placement of material stockpiles between the operation and the affected dwelling, or by other means approved by the project manager.

Should a specific noise impact complaint occur during the construction of the project, the contractor at his/her expense may be required to implement one or more of the following noise mitigation measures as directed by the project manager.

1. Locate stationary construction equipment as far from nearby noise sensitive properties as possible.

2. Shut off idling equipment.

3. Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.

4. Notify nearby residents whenever extremely noisy work will be occurring.

5. Install temporary or portable acoustic barriers around stationary construction noise sources.

Local governments may have noise ordinances which control construction noise. Construction activities shall be in compliance with any local noise ordinances.

SUMMARY OF PROPOSED MITIGATION AND CONSERVATION MEASURES

Right-of-Way

Owners of the affected properties shall be paid the fair market value for the land and improvements acquired and paid for any damages to remaining property, if damages should occur. Descriptions of the ODOT's land acquisition and relocation assistance are summarized in Appendix F.

All persons displaced would be entitled to advisory assistance to enable them to occupy decent, safe, and sanitary replacement housing. Relocatees may be eligible for relocation benefit reimbursements including reimbursements for moving personal property. Relocations would be coordinated with local public housing programs.

Acquisition and relocation assistance procedures are governed by the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended by the Uniform Relocation Act Amendments of 1987 Title IV of the Surface Transportation and Uniform Relocation Act of 1987 (1987 Amendments), appropriate state relocation legislation, and U.S. Department of Transportation Order 5620.1.

The Oregon Department of Transportation land acquisition and relocation assistance programs are described in two brochures entitled, "Acquiring Land for Highways and Public Projects" and "moving Because of Highway or Public Projects?". Copies of these brochures are available at the following address:

Region 2 Right-of-Way Office
Oregon Department of Transportation
2960 East State Street
Salem, OR 97310

Oregon Department of Transportation policy requires that displaced persons shall receive fair treatment and should not suffer unnecessarily as a result of a highway project. Each parcel acquired would be appraised to determine its fair market value and a written offer for just compensation extended on that basis. No family or individual would be required to vacate any dwelling until adequate replacement housing has been found and offered.

All people to be displaced will be given advisory assistance to enable those individuals displaced by the project to occupy decent, safe, and sanitary replacement housing. This will be done in accordance with the Oregon Department of Transportation's Relocation Assistance Program. U.S. Department of Transportation Order No. 5620.1 sets forth the same requirement for federally assisted projects.

If comparable and adequate, decent, safe, and sanitary replacement housing is not available due to a housing shortage in the area, or special needs of the relocatee require facilities not readily available, then housing would be provided under the provisions of the Last Resort Housing Program.This program is initiated when a housing shortage develops prior to right-of-way acquisition or when the relocatees require special housing. This allows unique and innovative methods to be used to provide the needed housing,

including rehabilitation or relocation of existing housing or construction of new housing.

Federal funds could normally be obtained for properly programmed and approved last resort housing projects to cover the reasonable cost incurred by the acquiring agency in providing such last resort housing.

Methods of providing housing include but are not limited to the following:

1. Purchase of land and/or buildings.

2. Rehabilitation of existing dwellings to meet decent, safe, and sanitary requirements provided the cost of acquisition and/or rehabilitation does not exceed the estimated cost of constructing new comparable decent, safe, and sanitary dwellings,

3. Relocation and, if necessary, refurbishing or rehabilitation of dwellings purchased by the State for right-of-way purposes,

4. Construction of new dwellings, or

5. Transfer from General Services Administration to State, of any real property surplus to the needs of the United States.

All replacement housing offered will be fair housing open to all persons regardless of race, color, religion, sex, or national origin. Fair housing will be available to all affected persons regardless of race, color, religion, sex or national origin.

Utilities

Little or no disruption of utility services is expected. Some utilities would be relocated. Service would be maintained throughout the construction period.

Soils and Geology

Materials source sites will be returned to a safe and usable condition following project construction, if required by the Mined Land Reclamation Division of the State Department of Geology and Mineral Industries and the Division of State Lands. Possible treatments will include contouring, shaping, leveling, spreading soil, and revegetation.

Bare slopes will be stabilized as soon as practicable during construction and will be seeded or planted immediately after grades are established to reestablish vegetation and control erosion. Prompt reestablishment of streambank vegetation will be required.

The stability of road embankments and the underlying soils will be assured by using measures approved by professional engineering geologists or geotechnical engineers. Possibilities include the use of surcharging, geotextile fabric, and wick drains.

Scenic and Aesthetic Resources

Vegetation on cut and fill slopes would be preserved as much as possible and replanted as soon as practical with plants native to the area.

Floodplains and Floodways

All necessary design measures shall be taken to assure that construction of the proposed project would not increase the existing 100-year flood surface elevation. Highway structures crossing streams in floodways would be designed to create no more than 1-foot of backwater during the 100-year flood.

Wetlands

Mitigation of wetland impacts is a regulatory requirement; per Council on Environmental Quality Guidelines (1508.20 a-e) mitigation consists of the following five elements:

a. Avoidance of the impact altogether

b. Minimizing impacts by limiting the degree or magnitude of an action

c. Rectifying the impact by repair, rehabilitation, or restoration

d. Reducing or eliminating the impact over time

e. Compensating for the impact by replacing or providing substitute resources or environments.

Avoidance of Impacts

There are no practicable construction alternatives that would attain the goals of the project and completely avoid wetland impacts.

Minimization of Impacts

Early in the design process one alternative alignment was eliminated because of excessive wetlands impacts and the remaining options (L4 and L5) were designed to use as much of the existing alignment as possible. The two build alternatives that were advanced resulted in the loss of 3.3 acres for the L4 alignment and 1.9 acres for the L5 alignment. A minimum slope of 1.5:1 would be constructed in the fill areas that are adjacent to the wetland areas. No "shy distance" would be added to the shoulder in any guard rail sections that are adjacent to the wetland areas. Protected wetland areas at the base of embankments would be designated as "no work" areas in the plans and specifications, and staked as such in the field.

Any "no-work" areas that are accidentally impacted would be cleared of fill materials and replanted with native wetlands species. Geotextile fabrics would be placed beneath the temporary portions of fill; upon completion of

construction the fill would be removed. The use of this special fabric would separate fill materials from wetland vegetation.

Rectification of Impacts

Among the measures that may be applied to rectify impacts are plantings along the fill to restore visual screening, short and long-term runoff treatment to sustain water quality in a non-impacted remnant which would receive highway drainage, fencing to prevent grazing from impacting future biodiversity, the creation of additional edge contrast and edge length or shoreline length when possible, the repair of flood control gates where salinity is a factor affecting nearby wetland characteristics, sediment control and removal of sediment particularly during construction.

Compensation

In order to fully mitigate the wetlands impacts of any of the two build alternatives, it would be necessary to acquire land and create substitute wetlands. These are to be designed to affect replacement in kind. A factor of at least one to one must be used to ensure that the policy of no net loss of wetlands or wetland values occurs.

Steps are being taken to acquire property for on-site compensation of the wetland impacts. A site-specific plan which deals with these problems and goals in specific terms, and includes a monitoring plan and commitment, success criteria, and a contingency agreement would be prepared once the actual site has been determined.

COMMENTS AND COORDINATION

Comments were requested concerning this project from a number of state and agencies through the Oregon Intergovernmental Project Review and through formal solicitation from local agencies. Responses were received from: Oregon Department of Land Conservation and Development, Division of State Lands, Oregon State Museum of Anthropology, Oregon State Highway Maintenance Section, Oregon Department of Environmental Quality, and Clatsop County Planning Department. The list below summarizes correspondence with public agencies. See also Appendix G for letters from interested agencies.

Department of Land Conservation and Development

Recommended careful coordination with Clatsop County with regard to potential plan amendments and exceptions.

Oregon Department Fish and Wildlife

Requested more information on impacts to wetlands and options for mitigation.

U.S. Fish and Wildlife Service

Furnished names of proposed and listed species in the project area. Reviewed assessments for bald eagle and peregrine falcon.

Division of State Lands

Requested ODOT apply for permits well in advance of construction deadlines.

Oregon State Highway Astoria Maintenance Section

Provided documentation of information on hazardous material spills along the existing and proposed highway corridors.

Oregon Department of Environmental Quality

Provided documentation of information on hazardous material spills along the existing and proposed highway corridors.

Clatsop County Planning Department

Discussed compliance of the project with the Clatsop County Comprehensive Plan and need for an exception for option L4.

Clatsop County Economic Development Council

Reiterated support for the project and enclosed letters of support for improvements to Highway 30.

Public Meetings

A public meeting was held at the Astoria Library on March 19, 1992 to discuss the project and preliminary designs. Affected property owners were invited by mail invitation and the general public was notified by radio and newspaper announcements. Four people attended the meeting. No strong preference for either alignment was noted.

LIST OF PREPARERS

OREGON DEPARTMENT OF TRANSPORTATION

Project Management

Carder, Claire, Project Manager, B.A. Geography, B. Landscape Architecture, environmental experience since 1985.

Cole, David L., Assistant Project Manager, M.S. Geology, environmental experience since 1990.

Wade, John E., Project Manager, M.S. Civil Engineering (Air and Water Resources), B.S. in Atmospheric Sciences, environmental experience since 1974.

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Banks, Maxine, Cultural Resources Specialist, cultural resources research since 1974, environmental and legislative experience since 1960.

Powers, Roger A., Biologist, M.S. Wildlife Biology, B.S. Geology, B.S. Fisheries Science, 5 years in research biology and fisheries management, environmental experience since 1972.

Smith, Dwight, A., Cultural Resources Specialist, B.A. M.A. course work, Sociology, cultural resources experience since 1980, environmental experience since 1974.

Engineering Research

Norman, James B., Air Quality Specialist, B.S. Communications, environmental experience since 1979.

Supervision and Review

Arnold, Thomas H., Senior Project Manager, M.S. Environmental Science, environmental experience since 1973.

Dykman, Pieter T., Research Supervisor, M.A. Geography, Ph.D. (A.B.D.), environmental experience since 1970.

Engelmann, Eb, Environmental Section Manager, M.A. Geography, environmental experience since 1973.

Kilber, Donna Lee, Project Management Supervisor, B.S. General Social Science, Masters in Management, environmental experience since 1973.

Lindland, Steven, P.E., P.L.S., Engineering Supervisor, B.S. Civil Engineering, environmental experience since 1975.

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Jarvis-Smith, Cheryl, Office Specialist, B.S. Psychology, environmental experience since 1988.

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Falby, Mark, Graphic Designer, experience since 1978

ARCHEOLOGICAL SURVEY CONSULTANT

Connolly, Thomas J., State of Oregon Highway Archeologist, Research Assistant, Oregon State Museum of Anthropology, University of Oregon, Eugene, Ph.D. Anthropology, archeological experience since 1976.

PEREGRINE FALCON CONSULTANT

David R. Smith
Wildlife Dynamics
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Tualatin, Oregon 97062

WETLAND CONSULTANT

Dale Graf
Shapiro and Associates Inc.
1020 SW Taylor
Portland, OR 97205

TECHNICAL REPORTS PREPARED FOR THIS PROJECT

This Environmental Assessment summarizes technical reports prepared for this project. The full technical reports are lengthier and more detailed than their representative sections in the environmental assessment. These reports, listed below, are available upon request.

Name of Report	Author
Noise Study	James Norman
Cultural	Dwight Smith
Wetlands	Dale Graf
Peregrine Falcon*	David Smith
Bald Eagle*	Roger Powers
Geotechnical	Bernie Kleutch and Rich Watnabe

Copies of these reports are available upon request from:

Environmental Section
Oregon Department of Transportation
1158 Chemeketa Street NE
Salem, OR 97310
(503) 378-8486

* Biological and archeological assessments may contain information which could be damaging to the species, its habitat, or result in the disturbance of archeological materials if made public. Consequently ODOT treats all biological and archeological assessments as confidential. Persons desiring access to biological material could obtain approval from the Endangered Species Office, U.S. Fish and Wildlife Service, Portland Oregon.

APPENDIX A

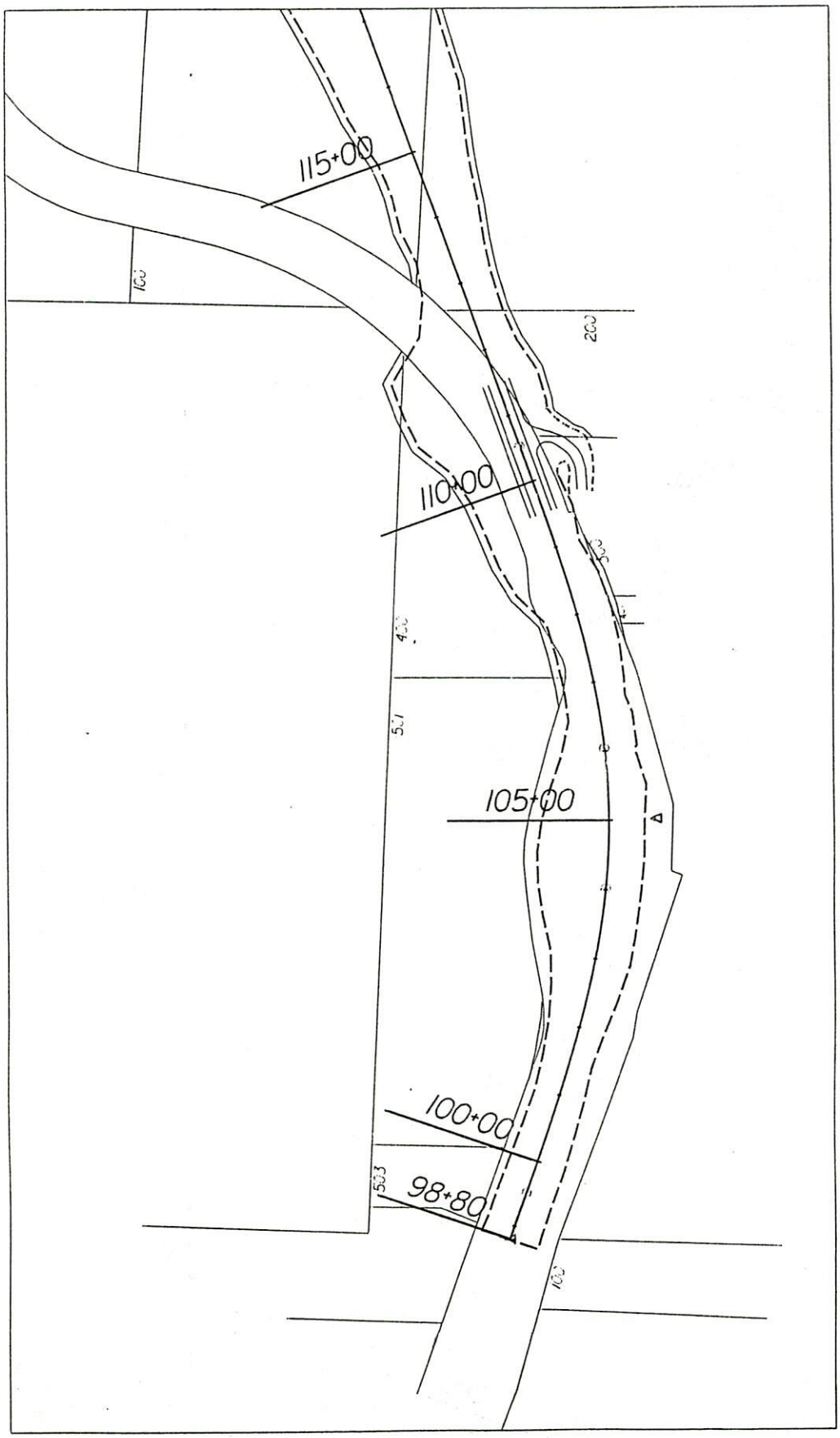
LEVELS OF SERVICE EXPLANATION

LEVELS OF SERVICE FOR TWO-LANE RURAL HIGHWAYS

LEVEL OF SERVICE	DEFINITIONS AND CONCEPTS	MANEUVERABILITY
A	Level-of service A represents free flow. Individual useres are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high,. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.	Without strict enforcement average speeds would be approaching 60 mph on two-lane highways. Passing demand is low and almost no platoons of three or more vehicles are observed. Drivers waiting for an opportunity to pass slower moving vehicles is less than 30 percent of the time.
B (Desired Rural Design Level)	Level-of-service B is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The level of comfort and conveience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.	Characterizes traffic flow wherein speeds of 50 to 55 mph are expected on level terrain. Drivers are looking for opportunities to pass up to 45 percent of the time. The number of platoons forming in the traffic stream are beginning to increase.
C (Acceptable Rural Design Level)	Level-of-service C is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream. The selection of speed is now affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.	Average speed still exceeds 50 mph on level terrain. While traffic flow is stable, it is becoming susceptible to congestion due to turning traffic and slow-moving vehicles. Drivers are looking for opportunities to pass up to 60 percent of the time. This results in noticeable increases in the platoon size.
D	Level-of-service D represents high-density, but stable flow. Speed and freedom to maneuver are severely restricted, and driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.	Mean platoon sizes of 5 to 10 vehicles are common, although speeds of 40 to 50 mph can still be maintained on level terrain. Turning vehicles and/or roadside distractions cause major shock-waves in the traffic stream. The demand for passing is very high and drivers are looking for opportunities to pass up to 75 percent of the time. The traffic is approaching unstable flow.
E	Level-of-service E represents operating conditions at or near the capacity level. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accomodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usully unstable, because small increases in flow or minor interruptions within the trafffic stream will cause breakdowns.	Under ideal conditions, speeds are normally below 45 mph. Average travel speeds on highways with less than ideal condition could be, as low as 30 mph. Drivers are looking for opportunities to pass more than 75 percent of the time. Passing is virtually impossible and platooning becomes intense when slower vehicles or interruption are encountered.
F	Level-of-service F is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations. Operations within the queue are characterized by stop-and-go waves, and they are extremely unstable. Vehicles may progrsss at reasonable speess for several hundred feet or more, then be required to stop in a cyclic fashion.	Represents heavily congested flow with traffic demand exceeding capacity. Traffic volumes and speeds are less than that of level of sevice E. Often disturbances in traffic flow as level of sevvice E-F is approached cause a rapid transition to level of service F.

APPENDIX B

RIGHT OF WAY MAP
FOR
L4 AND L5 ALIGNMENTS



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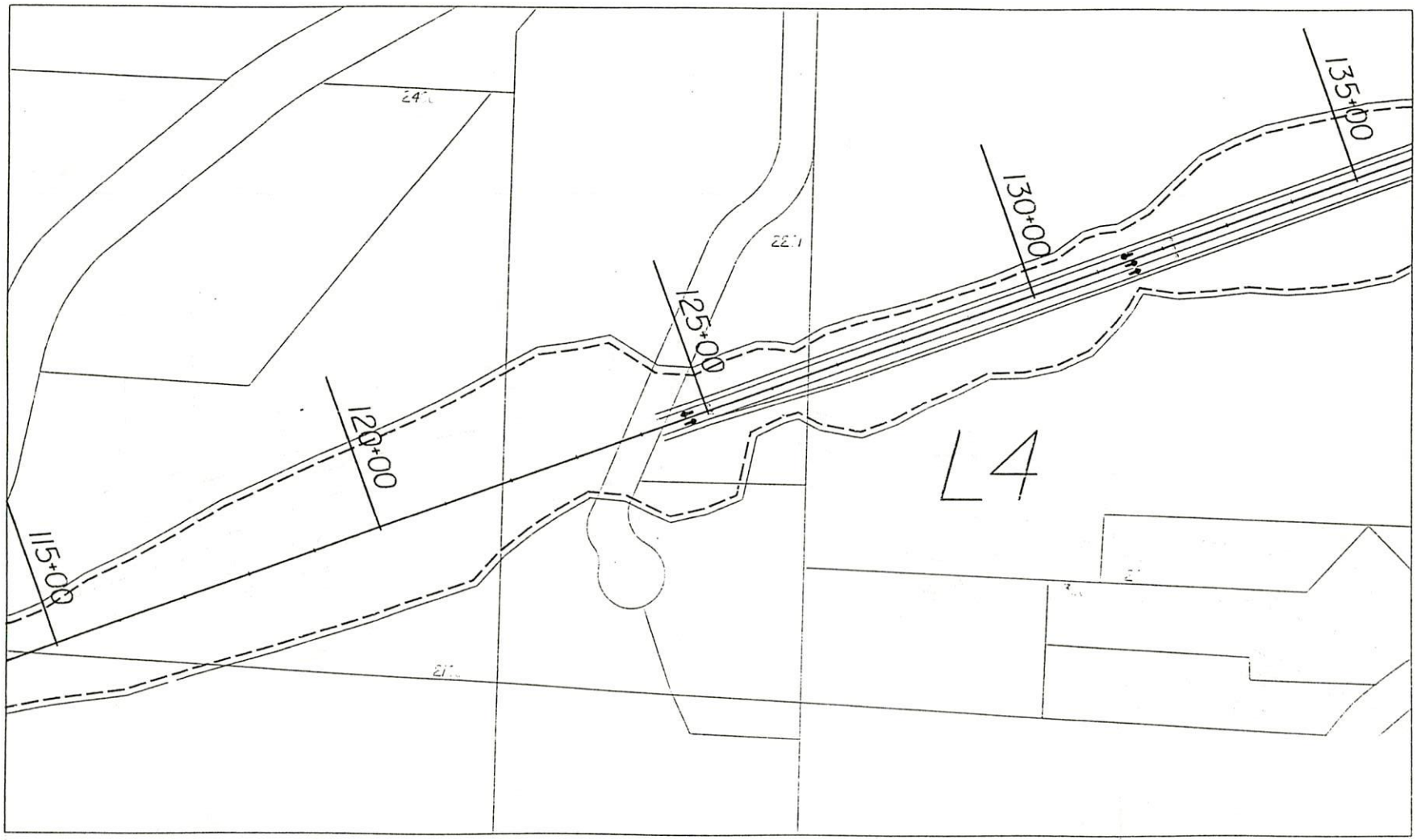

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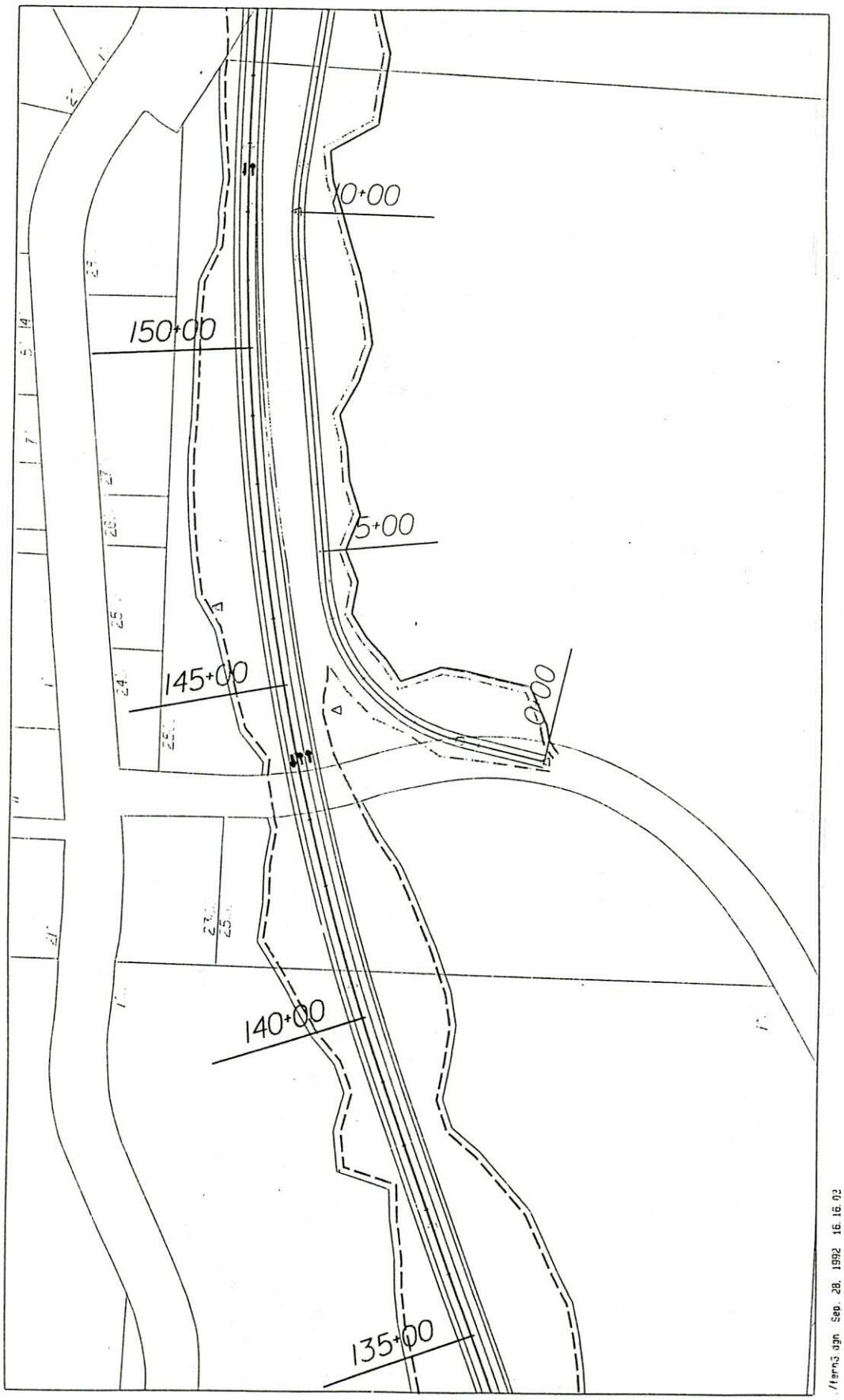

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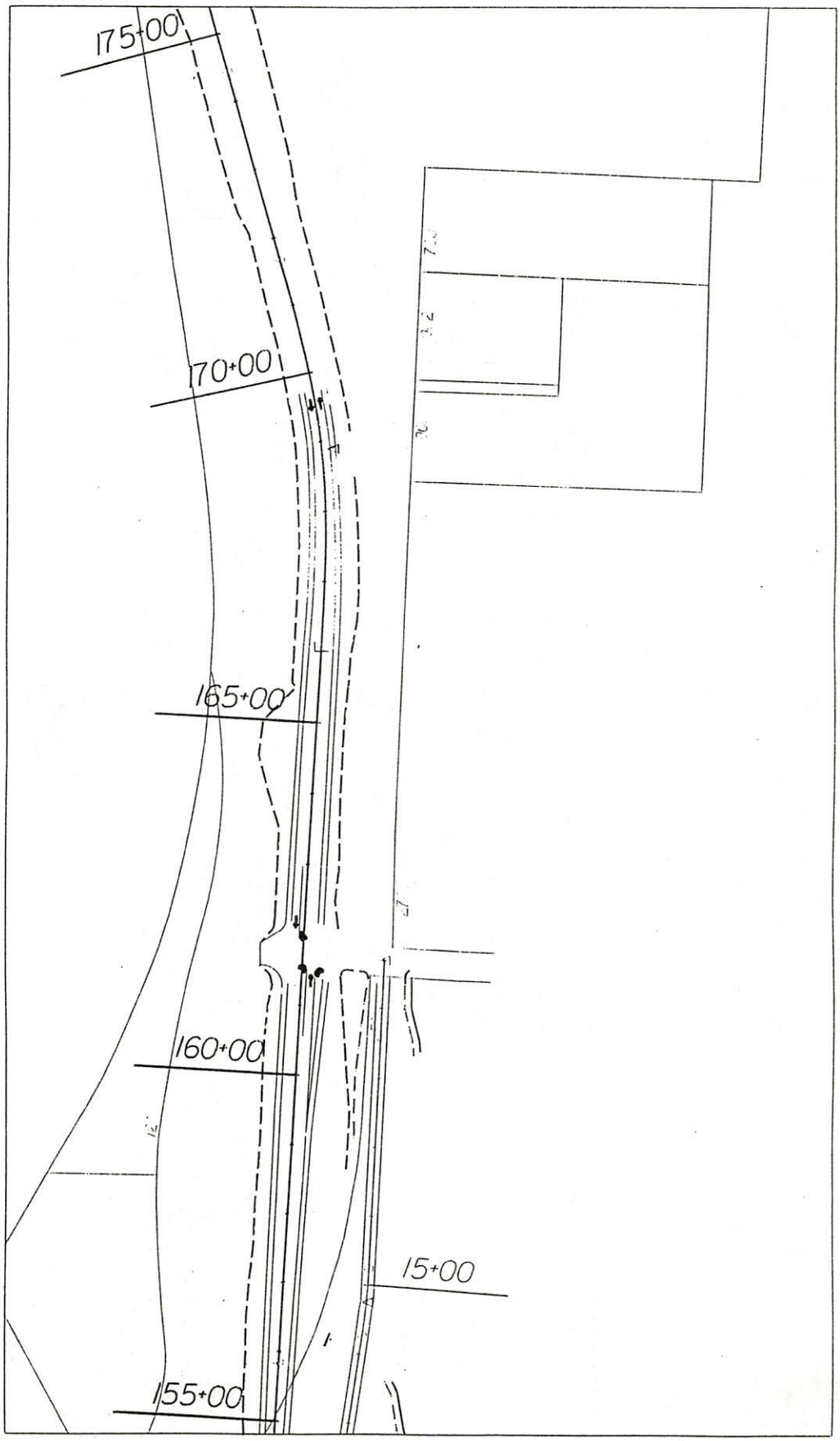

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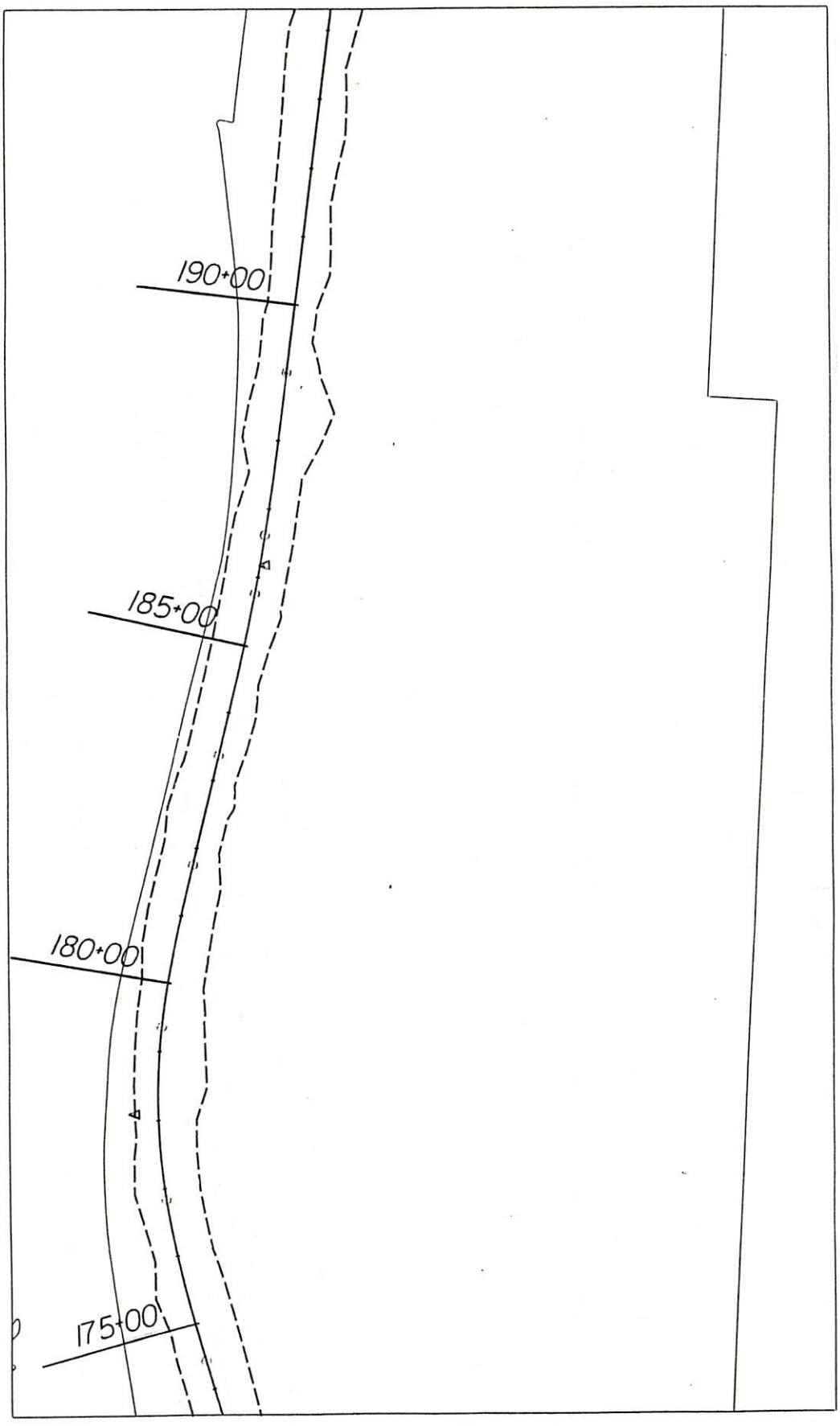

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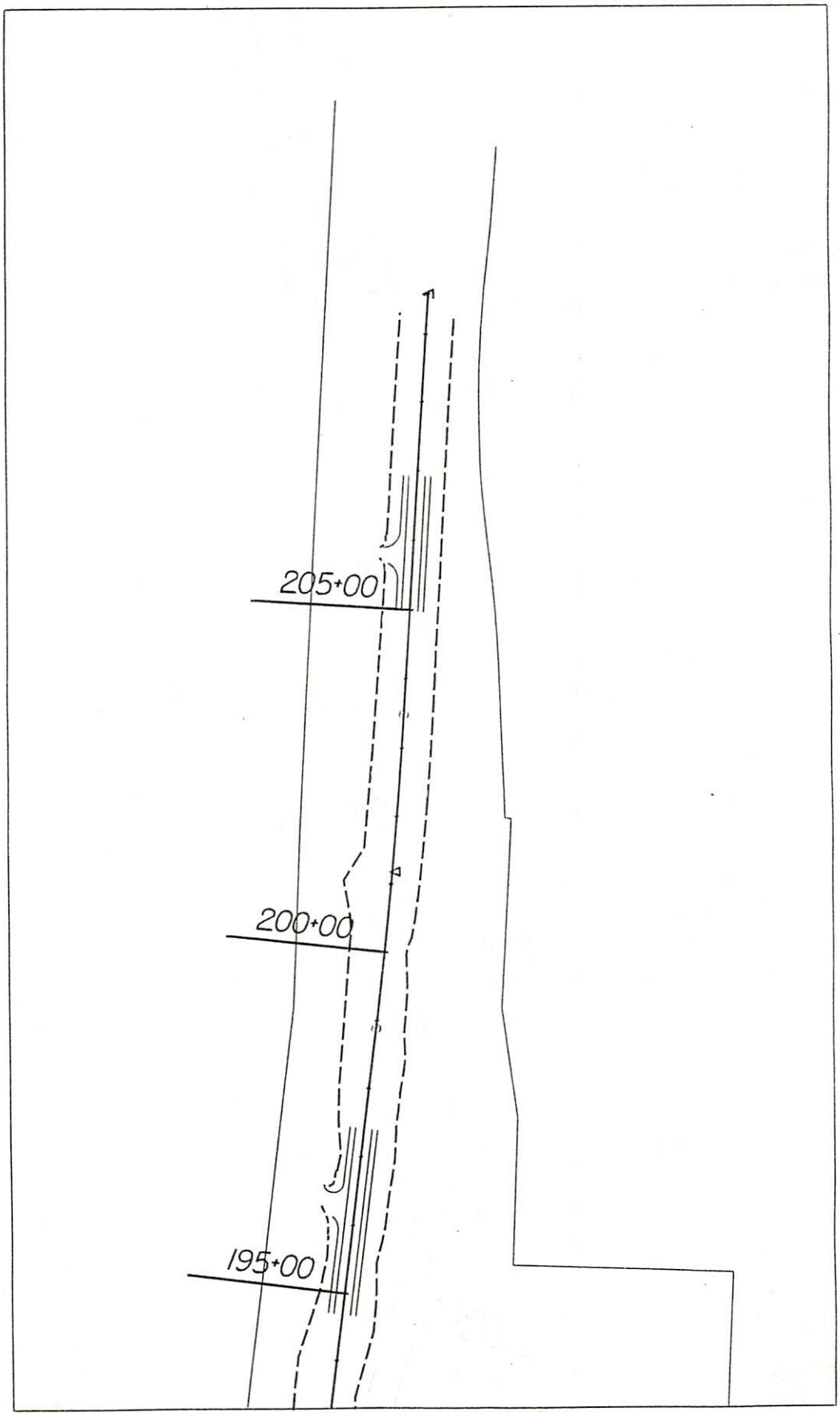

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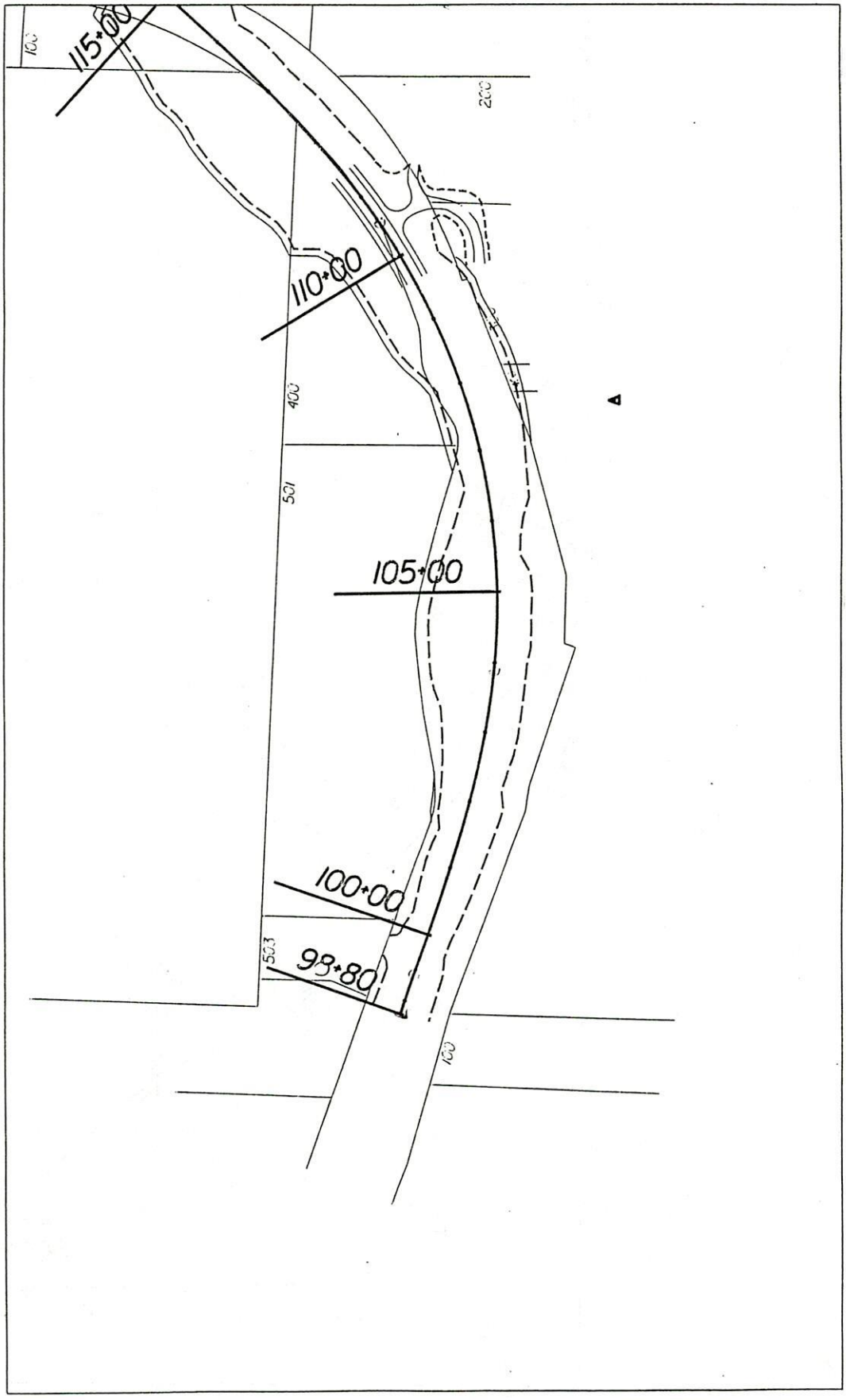

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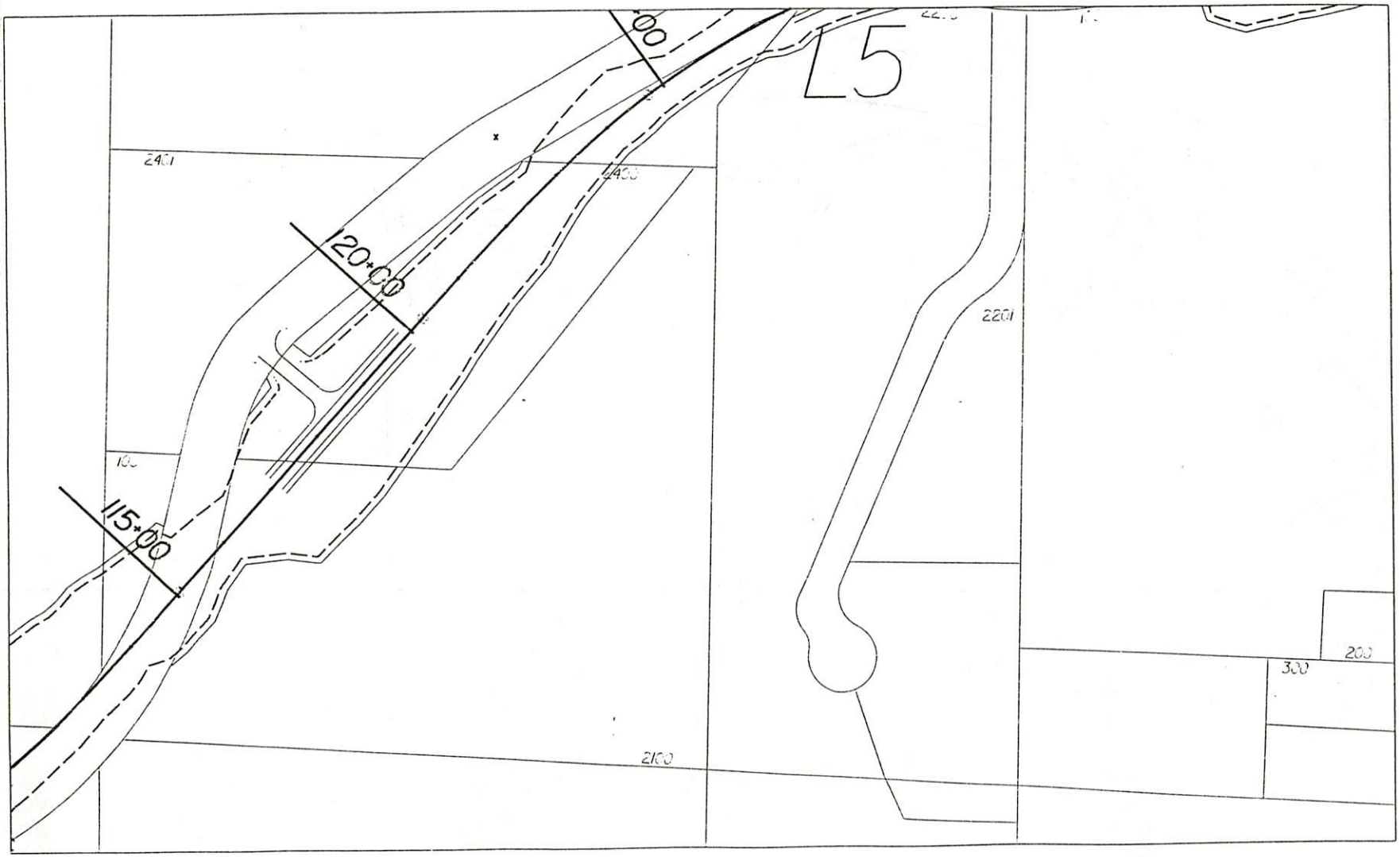

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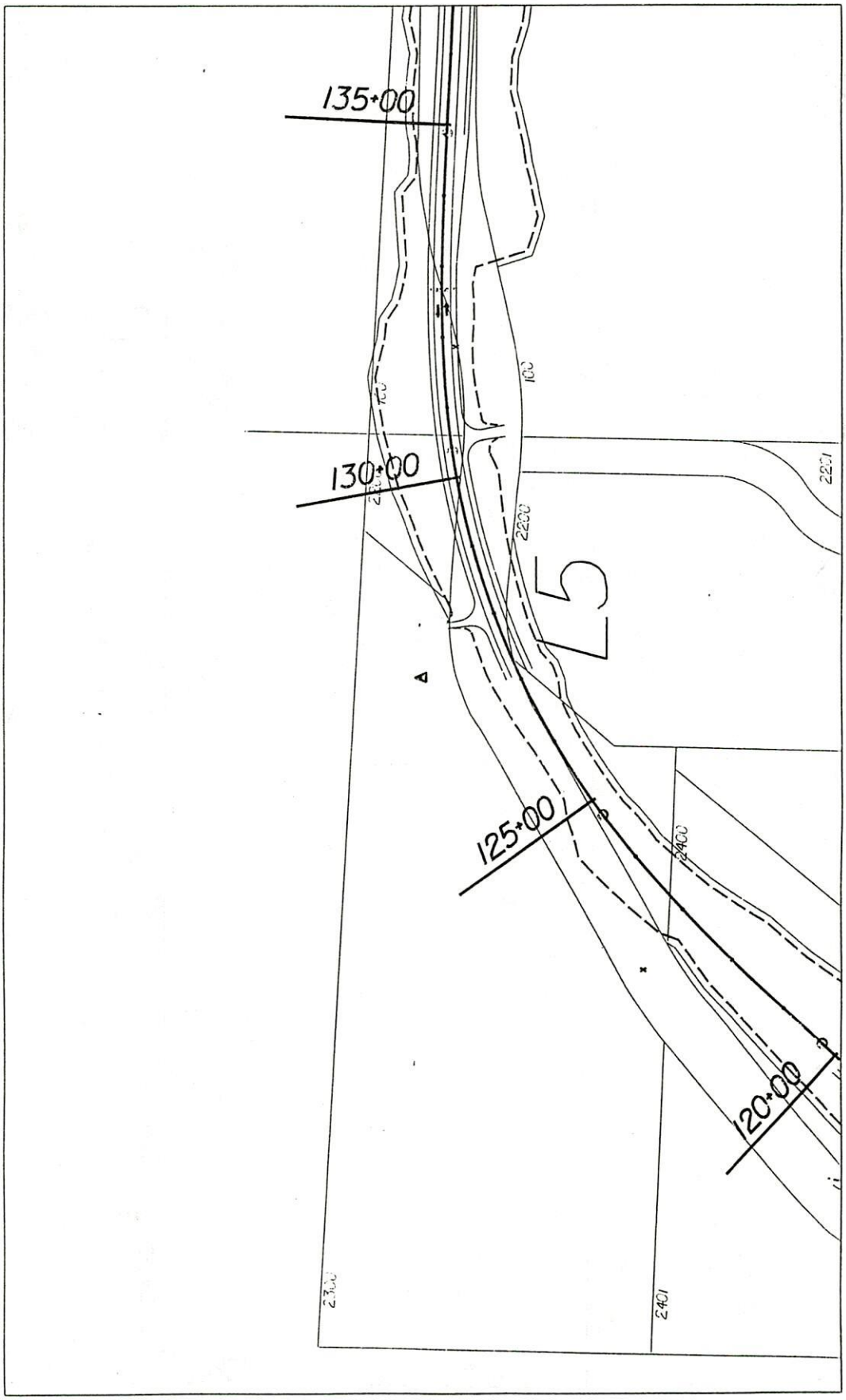
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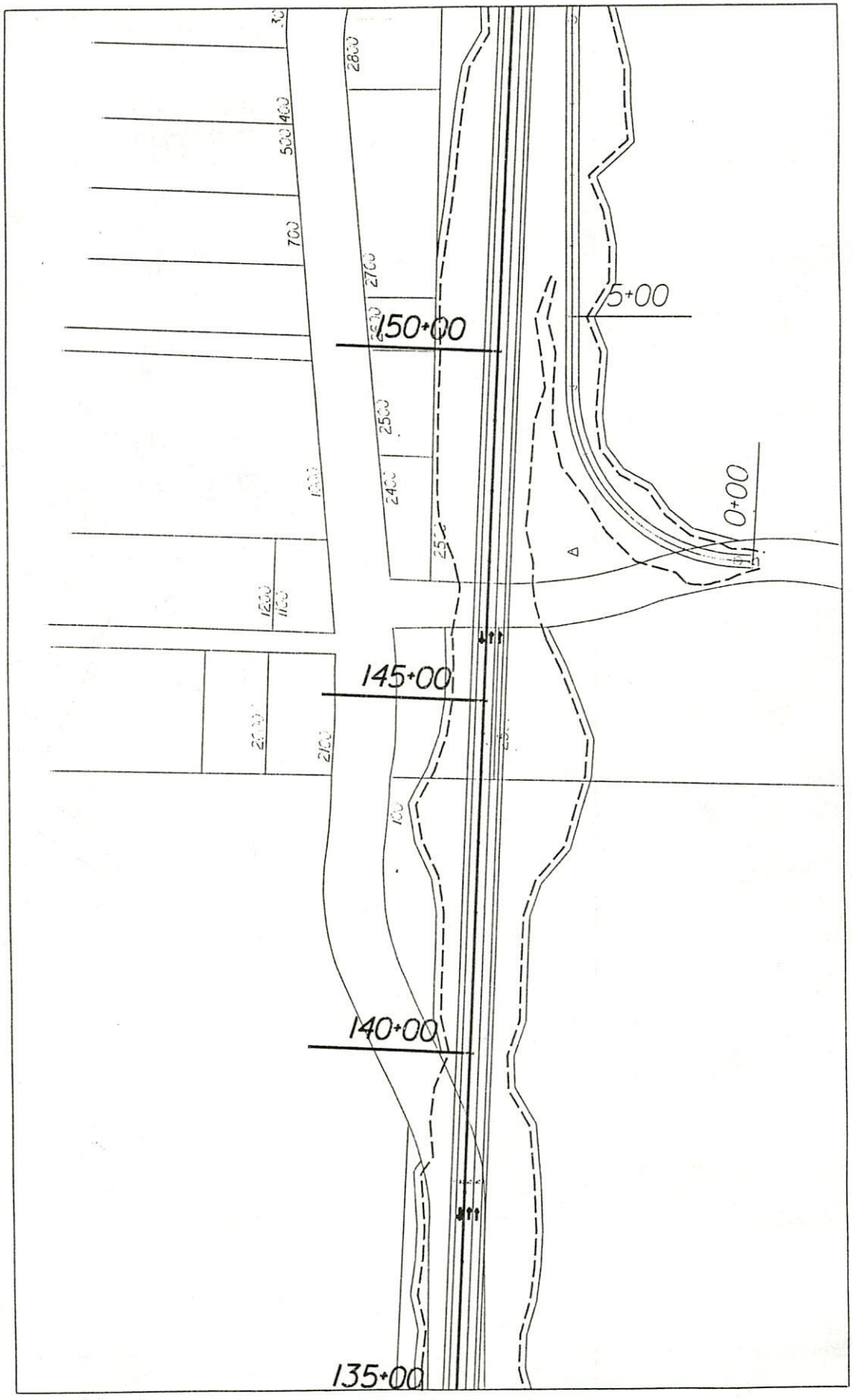
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APPENDIX C

EXCEPTION REQUIREMENTS

coordinate permit issuance with other state agencies and cities and counties.

(g) Local governments shall provide:

(A) Reasonable opportunities to satisfy local and rural needs for residential and industrial development and other economic activities on appropriate lands outside urban growth boundaries, in a manner consistent with conservation of the state's agricultural and forest land base; and

(B) Reasonable opportunities for urban residential, commercial and industrial needs over time through changes to urban growth boundaries.

(3) A comprehensive plan and land use regulations shall be in compliance with this section by the first periodic review of that plan and regulations under ORS 197.640. [1983 c.827 §17]

197.715 [1973 c.482 §2; repealed by 1977 c.665 §24]

197.717 Technical assistance by state agencies; information from Economic Development Department; model ordinances. (1) State agencies shall provide technical assistance to local governments in:

(a) Planning and zoning land adequate in amount, size, topography, transportation access and surrounding land use and public facilities for the special needs of various industrial and commercial uses;

(b) Developing public facility plans; and

(c) Streamlining local permit procedures.

(2) The Economic Development Department shall provide a local government with "state and national trend" information to assist in compliance with ORS 197.712 (2)(a).

(3) The commission shall develop model ordinances to assist local governments in streamlining local permit procedures. [1983 c.827 §18]

197.725 [1973 c.482 §4; repealed by 1977 c.665 §24]

197.730 [1973 c.482 §6; repealed by 1977 c.665 §24]

GOAL EXCEPTIONS

197.732 Goal exceptions; criteria; rules; review. (1) A local government may adopt an exception to a goal when:

(a) The land subject to the exception is physically developed to the extent that it is no longer available for uses allowed by the applicable goal;

(b) The land subject to the exception is irrevocably committed as described by commission rule to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or

(c) The following standards are met:

(A) Reasons justify why the state policy embodied in the applicable goals should not apply;

(B) Areas which do not require a new exception cannot reasonably accommodate the use;

(C) The long term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and

(D) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.

(2) Compatible, as used in subparagraph (D) of paragraph (c) of subsection (1) of this section, is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.

(3) The commission shall adopt rules establishing under what circumstances particular reasons may or may not be used to justify an exception under subparagraph (A) of paragraph (c) of subsection (1) of this section.

(4) A local government approving or denying a proposed exception shall set forth findings of fact and a statement of reasons which demonstrate that the standards of subsection (1) of this section have or have not been met.

(5) Each notice of a public hearing on a proposed exception shall specifically note that a goal exception is proposed and shall summarize the issues in an understandable manner.

(6) Upon review of a decision approving or denying an exception:

(a) The board or the commission shall be bound by any finding of fact for which there is substantial evidence in the record of the local government proceedings resulting in approval or denial of the exception;

(b) The board upon petition, or the commission, shall determine whether the local government's findings and reasons demonstrate that the standards of subsection (1) of this section have or have not been met; and

(c) The board or commission shall adopt a clear statement of reasons which sets forth the basis for the determination that the standards of subsection (1) of this section have or have not been met.

(7) The commission shall by rule establish the standards required to justify an ex-

ception to the definition of "needed housing" authorized by ORS 197.303 (3).

(8) As used in this section, "exception" means a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that:

(a) Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability;

(b) Does not comply with some or all goal requirements applicable to the subject properties or situations; and

(c) Complies with standards under subsection (1) of this section.

(9) An exception acknowledged under ORS 197.251, 197.625 or 197.630 (1) (1981 Replacement Part) on or before August 9, 1983, shall continue to be valid and shall not be subject to this section. [1983 c.827 §19a]

197.735 [1973 c.482 §7; repealed by 1977 c.665 §24]

197.740 [1973 c.482 §8; repealed by 1977 c.665 §24]

MISCELLANEOUS

197.747 Meaning of "compliance with the goals" for certain purposes. For the purposes of acknowledgment under ORS 197.251, board review under ORS 197.805 to 197.855 and periodic review under ORS 197.640 and 197.641 to 197.647, "compliance with the goals" means the comprehensive plan and regulations, on the whole, conform with the purposes of the goals and any failure to meet individual goal requirements is technical or minor in nature. [1983 c.827 §14; 1989 c.761 §9]

197.750 [1973 c.482 §5; repealed by 1977 c.665 §24]

197.752 Lands available for urban development. (1) Lands within urban growth boundaries shall be available for urban development concurrent with the provision of key urban facilities and services in accordance with locally adopted development standards.

(2) Notwithstanding subsection (1) of this section, lands not needed for urban uses during the planning period may be designated for agricultural, forest or other nonurban uses. [1983 c.827 §19]

197.755 [1973 c.482 §9; repealed by 1977 c.665 §24]

197.757 Acknowledgment deadline for newly incorporated cities. Cities incorporated after January 1, 1982, shall have their comprehensive plans and land use regulations acknowledged under ORS 197.251 no later than four years after the date of incorporation. [1983 c.827 §13]

197.760 [1973 c.482 §9a; repealed by 1977 c.665 §24]

197.762 [1987 c.729 §15; repealed by 1989 c.761 §10 (197.763 enacted in lieu of 197.762)]

197.763 Conduct of local quasi-judicial land use hearings; notice requirements; hearing procedures. The following procedures shall govern the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations:

(1) An issue which may be the basis for an appeal to the board shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the local government. Such issues shall be raised with sufficient specificity so as to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.

(2) Notice of the hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:

(a) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;

(b) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(c) Within 500 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(3) The notice provided by the jurisdiction shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized;

(b) List the applicable criteria from the ordinance and the plan that apply to the application at issue;

(c) Set forth the street address or other easily understood geographical reference to the subject property;

(d) State the date, time and location of the hearing;

(e) State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue;

(f) Be mailed at least:

(A) Twenty days before the evidentiary hearing; or

or intensities of uses within an exception area approved as a "Reasons" exception, a new "Reasons" exception is required.

(4) Applicability of OAR 660-04-018. This rule applies only to plan and zoning designations and exceptions adopted by local government following the effective date of this rule.

Stat. Auth.: ORS Ch. 197
Hist.: LCDC 9-1983, f. & ef. 12-30-83; LCDC 1-1986, f. & ef. 3-20-86

Goal 2, Part II(c), Exception Requirements

660-04-020 (1) If a jurisdiction determines there are reasons consistent with OAR 660-04-022 to use resource lands for uses not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception.

(2) The four factors in Goal 2 Part II(c) required to be addressed when taking an exception to a Goal are:

(a) "Reasons justify why the state policy embodied in the applicable goals should not apply": The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations including the amount of land for the use being planned and why the use requires a location on resource land.

(b) "Areas which do not require a new exception cannot reasonably accommodate the use":

(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use, which do not require a new exception. The area for which the exception is taken shall be identified.

(B) To show why the particular site is justified, it is necessary to discuss why other areas which do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:

(i) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception, including increasing the density of uses on nonresource land? If not, why not?

(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses, not allowed by the applicable Goal, including resource land in existing rural centers, or by increasing the density of uses on committed lands? If not, why not?

(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?

(C) This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site specific comparisons are not required of a local government taking an exception, unless another party to the local proceeding can describe why there are specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described with facts to support the assertion that the sites are more reasonable by another party during the local exceptions proceeding.

(c) The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative areas considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to, the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts.

(d) "The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts". The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.

(3) If the exception involves more than one area for which the reasons and circumstances are the same, the areas may be considered as a group. Each of the areas shall be identified on a map, or their location otherwise described, and keyed to the appropriate findings.

Stat. Auth.: ORS Ch. 197
Hist.: LCDC 5-1982, f. & ef 7-21-82; LCDC 9-1983, f. & ef. 12-30-83

Reasons Necessary to Justify an Exception Under Goal 2, Part II(c)

660-04-022 An exception Under Goal 2, Part II(c) can be taken for any use not allowed by the applicable goal(s). The types of reasons that may or may not be used to justify certain types of uses not allowed on resource lands are set forth in the following sections of this rule:

(1) For uses not specifically provided for in

bsequent sections of this rule or OAR 660, vision 14, the reasons shall justify why the state licy embodied in the applicable goals should not ply. Such reasons include but are not limited to e following:

(a) There is a demonstrated need for the oposed use or activity, based on one or more of e requirements of Statewide Goals 3 to 19; and her

(b) A resource upon which the proposed use or tivity is dependent can be reasonably obtained ly at the proposed exception site and the use or tivity requires a location near the resource. An ception based on this subsection must include an alysis of the market area to be served by the oposed use or activity. That analysis must monstrate that the proposed exception site is the ly one within that market area at which the source depended upon can reasonably be tained; or

(c) The proposed use or activity has special itures or qualities that necessitate its location on near the proposed exception site.

(2) Rural Residential Development: For rural sidential development the reasons cannot be sed on market demand for housing, except as ovided for in this section of this rule, assumed itinuation of past urban and rural population stributions, or housing types and cost aracteristics. A county must show why, based on economic analysis in the plan, there are reasons the type and density of housing planned which uire this particular location on resource lands. A isdiction could justify an exception to allow idential development on resource land outside urban growth boundary by determining that the ral location of the proposed residential elopment is necessary to satisfy the market mand for housing generated by existing or nned rural industrial, commercial, or other nomic activity in the area.

(3) Rural Industrial Development: For the ng of industrial development on resource land side an urban growth boundary, appropriate sons and facts include but are not limited to the owing:

(a) The use is significantly dependent upon a ique resource located on agricultural or forest d. Examples of such resources and resource sites lude geothermal wells, mineral or aggregate posits, water reservoirs, natural features, or river ocean ports; or

(b) The use cannot be located inside an urban owth boundary due to impacts that are zardous or incompatible in densely populated as; or

(c) The use would have a significant nparative advantage due to its location (e.g., ar existing industrial activity, an energy facility, products available from other rural activities), ich would benefit the county economy and cause y minimal loss of productive resource lands. asons for such a decision should include a cussion of the lost resource productivity and ues in relation to the county's gain from the ustrial use, and the specific transportation and ource advantages which support the decision.

(4) Willamette Greenway: Within an urban area ignated on the approved Willamette Greenway undary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:

(a) The use will not have a significant adverse effect on the greenway values of the site under consideration or on adjacent land or water areas;

(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;

(c) The use will provide a significant public benefit; and

(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.

(5) Goal 16 — Water Dependent Development: To allow water dependent industrial, commercial, or recreational uses in development and conservation estuaries which require an exception an economic analysis must show that there is a reasonable probability that the proposed use will locate in the planning area during the planning period considering the following:

(a) Factors of Goal 9 or for recreational uses the factors of Goal 8;

(b) The generally predicted level of market demand for the proposed use;

(c) The siting and operational requirements of the proposed use including land needs, and as applicable, moorage, water frontage, draft, or similar requirements; and

(d) Whether the site and surrounding area are able to provide for the siting and operational requirements of the proposed use;

(e) The economic analysis must be based on Goal 9 element of the County Comprehensive Plan and consider and respond to all economic needs information available or supplied to the jurisdiction. The scope of this analysis will depend on the type of use proposed, the regional extent of the market and the ability of other areas to provide for the proposed use.

(6) Goal 16 — Other Alterations or Uses: An exception to the requirement limiting dredge and fill or other reductions or degradations of natural values to water dependent uses or to the natural and conservation management unit requirements limiting alterations and uses is justified, where consistent with ORS Chapter 541, in any of the following circumstances:

(a) Dredging to obtain fill for maintenance of an existing functioning dike where an analysis of alternatives demonstrates that other sources of fill material including adjacent upland soils or stockpiling of material from approved dredging projects can not reasonably be utilized for the proposed project or that land access by necessary construction machinery is not feasible;

(b) Dredging to maintain adequate depth to permit continuation of present level of navigation in the area to be dredged;

(c) Fill or other alteration for a new navigational structure where both the structure and the alteration are shown to be necessary for the continued functioning of an existing federally authorized navigation project such as a jetty or a channel;

(d) An exception to allow minor fill, dredging, or other minor alteration of a natural management

APPENDIX D

SHPO LETTER OF CONCURRENCE

Oregon

STATE
HISTORIC
PRESERVATION
OFFICE

Parks & Recreation
Department

xc- Pict done S.C. 6-14-91
Dwight
Dave C.
chrono-file

June 12, 1991

Pieter Dykman
Environmental Section
Highway Division
324 Capitol St NE
Salem OR 97310

RE: Fern Hill-John Day River Bridge
Lower Columbia River Highway, U.S. 30
Clatsop County

Dear Pieter:

Our office has reviewed the cultural resource report for the above-referenced project. It has been reviewed for its impact on both historic and prehistoric sites. We concur with your finding that the proposed project would have "No Effect" on sites on, or eligible for inclusion on, the National Register of Historic Places. If you have any questions you can contact Dr. Leland Gilsen at 378-6508.

Sincerely,

James M. Hamrick, Deputy
State Historic Preservation Officer

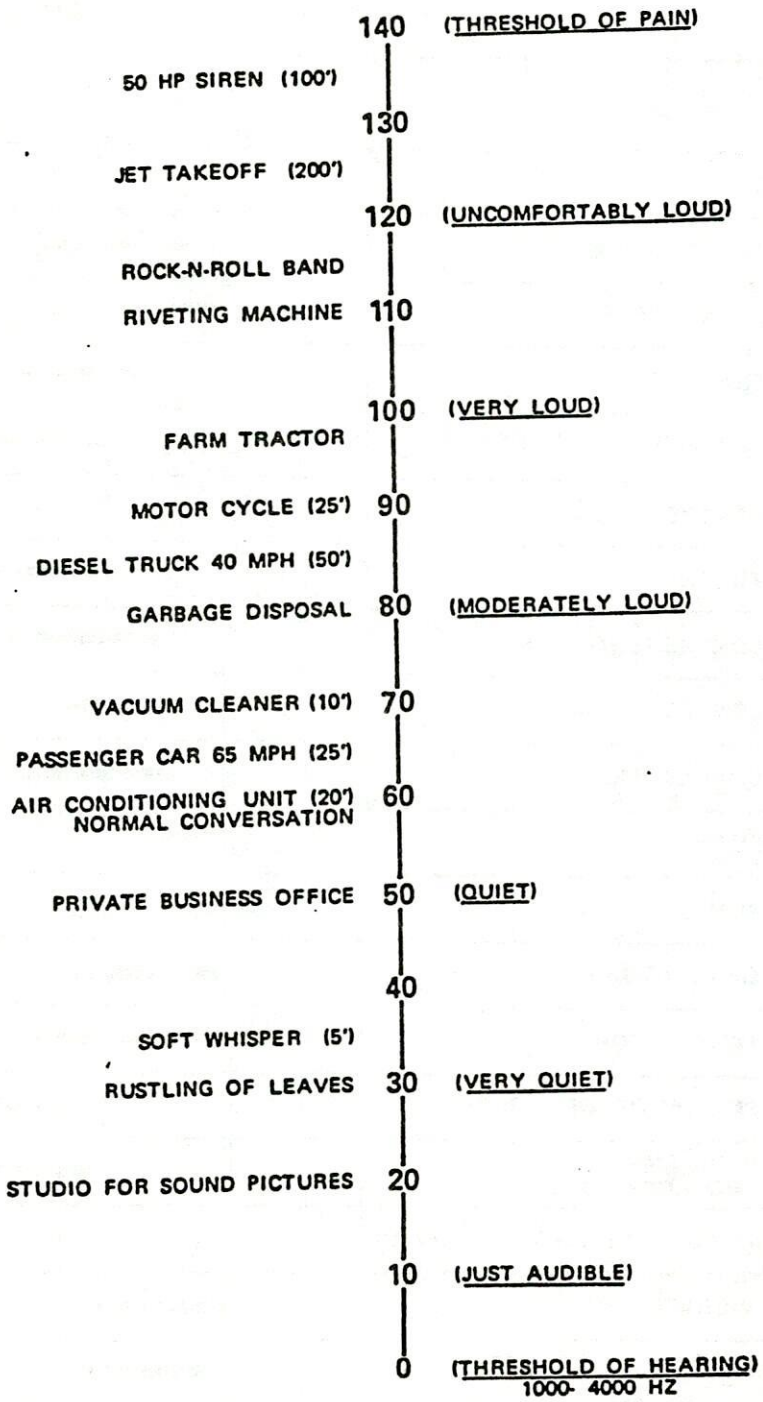
JMH:LG:jn
FERNHILL.LTR

525 Trade Street SE
Salem, OR 97310
(503) 378-5001
FAX (503) 378-6447

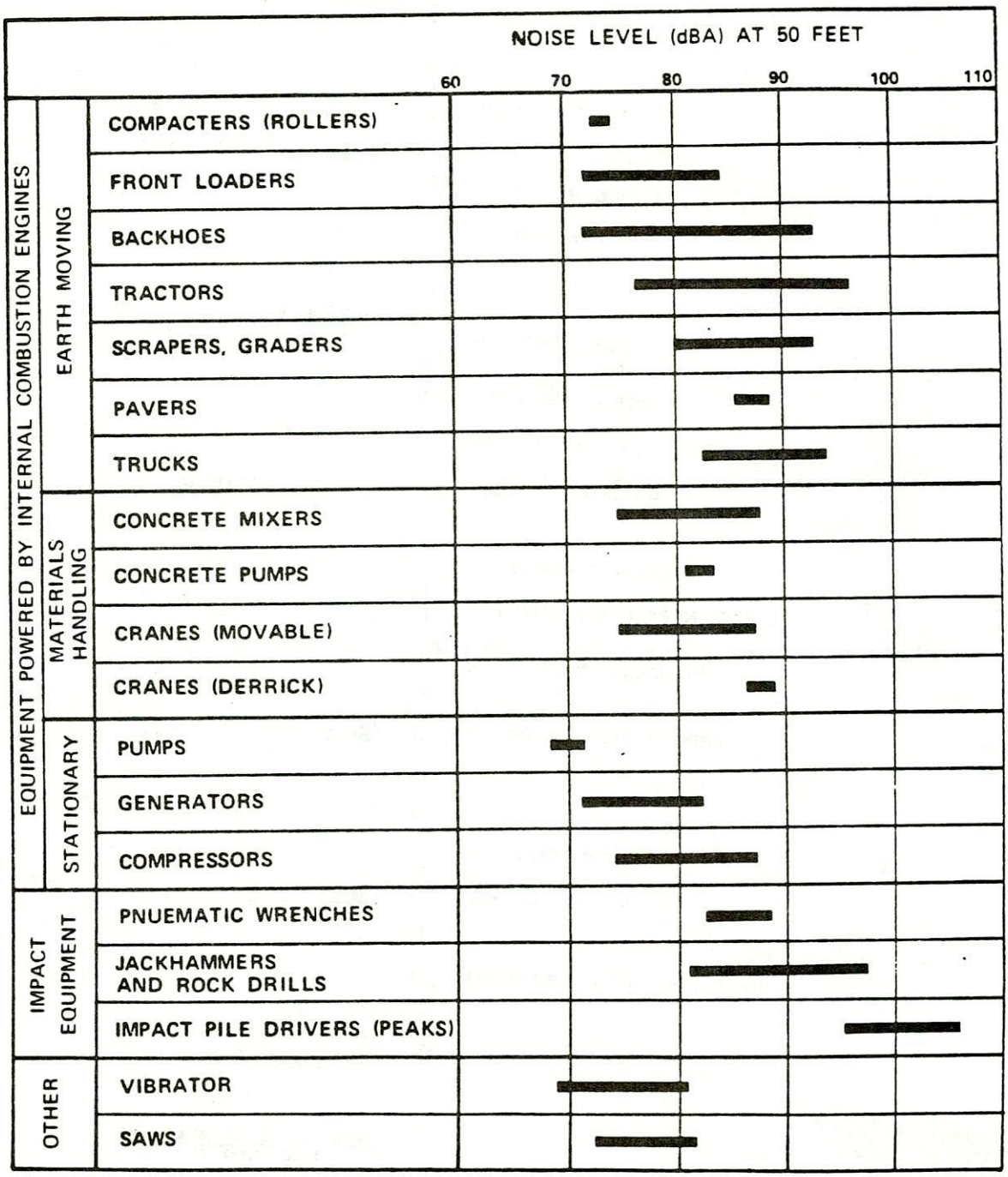
APPENDIX E

TYPICAL SOUNDS AND THEIR dBA RATING

TYPICAL A WEIGHTED SOUND PRESSURE LEVELS



CONSTRUCTION EQUIPMENT NOISE RANGES



APPENDIX F

YOUR RIGHTS AND BENEFITS AS A DISPLACED PERSON

MOVING BECAUSE OF THE HIGHWAY OR PUBLIC PROJECTS?

A DESCRIPTION OF THE
OREGON DEPARTMENT OF TRANSPORTATION
RELOCATION ASSISTANCE
PROGRAM

Department of Transportation policy requires that no family or individual will be required to vacate any dwelling until such displacee has found or been offered comparable replacement housing.

All replacement housing offered will be fair housing open to all persons regardless of race, color, religion, sex, or national origin.

Relocation legislation, because of its wide scope, is somewhat complicated and difficult to read and interpret. For the benefit of those who are affected by the Department of Transportation property acquisitions, this leaflet summarizes the principal provisions of relocation services and benefits. However, persons reading this leaflet are urged not to form advance opinions as to the benefits and amounts to which they may be entitled. The right of way agent assigned to purchase a property will have detailed information for displaced persons.

OREGON DEPARTMENT OF TRANSPORTATION

No relocation payment received by a displaced person under this part shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law, except for any Federal law providing low-income housing assistance.

RELOCATION SERVICES

The Department of Transportation maintains right of way offices in the following locations:

5821 NE Glisan Street Portland, Oregon 97213 Telephone No. 731-3275	1299 NW Ellan Street Roseburg, Oregon 97470 Telephone No. 440-3383
7165 SW Fir Loop Tigard, Oregon 97223 Telephone No. 639-7311	63020 O. B. Riley Road Bend, Oregon 97701 Telephone No. 388-6196
2960 State St. SE Salem, Oregon 97310 Telephone No. 378-2641	3012 Island Avenue La Grande, Oregon 97850 Telephone No. 963-7552

These offices maintain current lists of replacement dwellings, businesses, and farms for displaced persons, as well as current data regarding required deposits for utilities, closing costs, typical down payments, interest rates, and FHA and VA requirements and information. The offices also have maps showing the location of schools, parks, playgrounds, and shopping areas. Public transportation routes are shown, and schedules and fare information is available. Experienced right of way agents are available to aid displaced persons to the fullest extent. Right of way agents do not expect and will not accept any fee for any service rendered.

ELIGIBILITY

It is important to note that eligibility to receive any of the following benefits is not complete until you have received a written notice of eligibility from the State.

GENERAL MOVING EXPENSES

Service charges for reconnecting utilities are reimbursable except under schedule move procedures.

INDIVIDUAL AND FAMILY MOVING EXPENSES

Any individual or family displaced by a Department of Transportation project is entitled to receive a payment for actual and reasonable expenses of moving personal property a distance not to exceed a 50-mile radius or to the nearest available and adequate site.

In order to obtain a moving expense payment, a displaced person must file, within 18 months after displacement, a written claim with the Department of Transportation on a form provided for that purpose. In some cases, where it is to the benefit of the displaced person, a written arrangement with the Department of Transportation will allow the displaced person to present an unpaid commercial moving bill, and the Department of Transportation will make payment directly to the mover. If the residential displacee chooses, costs may be reimbursed according to a set schedule based upon the number of rooms of furniture to be moved.

RESIDENTIAL MOVING SCHEDULE

Unfurnished
[Relocatee owns furniture]

$250 [1 rm]	$550 [3 rm]
$400 [2 rm]	$650 [4 rm]

plus $100 for each additional room

Furnished
[Relocatee does not own furniture]

$225 for first room plus $35/each added room

REESTABLISHMENT PAYMENT
(businesses, farms, nonprofit organizations only)

Displaced small businesses, farm operations and nonprofit organizations may receive a payment not to exceed $10,000 for expenses actually incurred to relocate and reestablish themselves at a replacement site. Eligible expenses can include repairs and improvements required by law, replacement of soiled and worn surfaces at the replacement site and other modifications. Also included are exterior signing not to exceed $1,500, advertisement of the replacement location not to exceed $1,500, and estimated increased cost of operation for the first two years not to exceed $5,000.

BUSINESS, FARM & NONPROFIT ORGANIZATION MOVING EXPENSES

Displaced businesses, farm operations, and nonprofit organizations are entitled to receive actual reasonable moving expenses for moving personal property a distance not to exceed a 50-mile radius or to the nearest available and adequate site. The actual and reasonable cost of searching for a replacement location may be claimed in an amount up to $1,000 for a farm, nonprofit organization or business. Such payments must be supported by receipted bills or other evidence of expenses incurred.

As an alternate moving expense procedure, in the case of a self move, the business, farm operations, or nonprofit organization may be paid an amount not to exceed the lower of two estimates secured by the Department of Transportation from qualified moving companies.

Under certain conditions, businesses, farms, and nonprofit organizations may receive payments for direct losses of tangible personal property resulting from the necessity to relocate.

A displaced or discontinued business nonprofit organization or farm operation, except advertising sign owners, may, under certain conditions, elect to receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation during the two tax years immediately preceding the year in which such business or farm operation is displaced. The payment cannot exceed $20,000 and will not be less than $1,000. Those who choose the fixed payment are not eligible for any other relocation benefit payment.

STORAGE OF PERSONAL PROPERTY

Storage of personal property requires the written approval of the Department of Transportation and may not exceed twelve months except in unusual circumstances. It should be clearly understood that those dislocatees who accept the schedule move or fixed payment are not eligible to receive the storage expense benefit.

REPLACEMENT HOUSING

A displaced owner-occupant of a dwelling owned and occupied for 180 days or more immediately prior to the initiation of negotiation for such property may be eligible for additional payments, the combined total of which may not exceed $22,500.

The replacement housing payment is the amount, if any, which when added to the amount for which the

State acquired his or her dwelling, equals the actual cost which the owner is required to pay for a decent, safe, and sanitary replacement dwelling or the amount determined by the State as necessary to purchase a comparable dwelling, whichever is less. This payment includes compensation for increased interest costs for financing the replacement dwelling and actual closing costs incidental to the purchase of replacement housing.

A displaced owner-occupant of a dwelling actually owned and occupied by the owner for 90 days or more but less than 180 days or a tenant-occupant of 90 days or more immediately prior to initiation of negotiation for such property may be eligible for additional payments, the combined total of which may not exceed $5,250. This payment is the amount necessary to make a down payment on the purchase of a replacement dwelling and to reimburse the relocatee for the actual closing costs incidental to the purchase of the replacement dwelling. Necessary deposits for taxes and insurance are not considered as closing costs. In those cases where an owner-occupant of 90 days or more but less than 180 days or a tenant-occupant of 90 days or more chooses to rent instead of purchase a replacement dwelling, he or she may, under certain conditions, be eligible for a payment of up to $5,250 to rent a decent, safe, and sanitary replacement dwelling.

The rent payment is the increase in rent necessary to rent a comparable dwelling for 42 months or the amount determined by the State as necessary to rent a comparable dwelling for 42 months, whichever is less.

To be eligible for these benefits, the displaced occupant must purchase or rent and occupy a decent, safe, and sanitary replacement dwelling within one year after the required date of displacement or within one year after the actual date of displacement, whichever is later.

Claims for housing additives and rent supplements must be made in writing on a Department of Transportation form supplied for this purpose and must be filed with the Department of Transportation no later than 18 months after the date of displacement.

Before payments for any replacement dwelling benefits can be made, the replacement dwelling must be checked by Department of Transportation personnel to ascertain that it meets the decent, safe, and sanitary standards established by the Federal Department of Transportation. It is recommended that this determination be made prior to a commitment to rent or buy. The decent, safe, and sanitary inspection of the replacement dwelling by agency personnel is for the sole purpose of determining a relocatee's eligibility for a relocation payment.

POSSESSION

No person lawfully occupying real property shall be required to move from his home, farm, or business location without at least 90 days' written notice. A displaced residential occupant wil not be required to move earlier than 90 days after the date comparable replacement housing is made available.

The displacee will again be notified 30 or more days prior to the date the property must be vacated. The 30-day notice will not be given until the property owner has been paid for his or her property. However, if a purchase does not require the person to move, the agreement to purchase the property may require the person to surrender possession of his/her property upon payment.

APPEALS

Any relocatee who is dissatisfied with any ruling on his or her eligibility or claim for any relocation benefit payment shall have the right of appeal. Appeal forms can be secured from the right of way agent who is handling the property acquisition. The Chief Administrative Officer of the Department of Transportation has delegated his review authority to a hearings officer. Appeals must be filed with the board within 90 days after the State acts on a claim or denies eligibility for a benefit.

Any person making such an appeal will be given full opportunity to be heard at an appeal hearing arranged to examine his or her complaint. A decision will be provided giving reasons in support of the result reached.

RIGHT OF WAY AGENT

Relocatees will be given information regarding their eligibility and possible benefits by the right of way agent assigned to acquire the property.

734-3772 (9-92)

PRINTED ON RECYCLED PAPER

GENERAL SUMMARY OF RELOCATION BENEFITS

RESIDENTIAL

Owner-occupant of 180 days or more prior to initiation of negotiations for the parcel.

Housing Additive	$22,500 max.
Including	
Costs incidental to purchase of replacement dwelling	
And Including	
Increased interest cost on replacement dwelling	
Or	
Rent Supplement	$5,250 max.
Plus	
Actual reasonable moving costs	Actual
Or	
Moving costs based upon schedule	
Or	
Storage of personal property up to twelve months with prior approval	Actual

Owner-occupant of 90 days or more but less than 180 days and tenant-occupants of 90 days or more occupancy prior to initiation of negotiations for the parcel.

Rent Supplement	$5,250 max.
Or	
Down payment benefit and costs incidental to purchase of replacement dwelling	$5,250 max.
Plus	
Actual reasonable moving costs	Actual
Or	
Moving costs based upon schedule	
Or	
Storage of personal property for up to twelve months with prior approval	Actual

BUSINESS, FARM, & NPO'S

Owner-occupants and tenant-occupants entitled to same benefits.

Actual reasonable moving costs	Actual
Or	
Negotiated moving cost payment not to exceed lower of two estimates secured by agency	No more than low estimate
Plus	
Tangible personal property loss due to relocation	Actual value or estimated cost to move, whichever is lower
Plus	
Reasonable cost of search for new site	$1,000 max.
Plus	
Storage of personal property for up to twelve months with prior approval	Actual
Plus	
Reestablishment expenses at the replacement site	$10,000 max.
Or	
Fixed payment in lieu of all other benefits – requires approval of agency	Average of annual net earnings for two years prior to year of relocation $1,000 min. $20,000 max.

Oregon Department of Transportation

ACQUIRING LAND FOR HIGHWAYS AND PUBLIC PROJECTS

A description of the
Department of Transportation
land acquisition program

When improving highway facilities, the Department of Transportation has the task of acquiring right of way. It is the aim and desire of the Department to obtain right of way with fairness and equity.

The State is empowered to acquire private property for public use. With this power goes the obligation to protect the rights of the individual property owner. The Department thus has a dual responsibility — recognition and protection of the individuals who are affected by acquisition of land, and competent and efficient service to the public.

PUBLIC HEARINGS

Public hearings, when required, are held during the location and design stages of a project. Such hearings provide opportunities for public participation to ensure that highway locations and designs are consistent with Federal, State and Local goals and objectives.

The corridor hearing is held after preliminary studies have been made on several possible routes. During the course of this hearing, testimony is recorded for study by Department personnel and the Transportation Commission.

Upon selection of a corridor, a detailed survey within that corridor is made and a preliminary design plan developed for presentation at a "Design Hearing."

The "Design Hearing" provides an opportunity to present testimony about the final highway design.

In an instance where a choice of corridors is not involved, such as the case of an improvement to an existing highway, a single "Combination Corridor-Design Hearing" may be held.

After all data and testimony has been studied, a final design is adopted by the Transportation Commission and the acquisition of rights of way is authorized.

JUST COMPENSATION

Owners of property needed for a highway project will be offered Just Compensation for the required rights-of-way. Just Compensation includes the estimated value of all the land and improvements within the needed area. In addition, if only a part of a property is to be acquired, Just Compensation will also include any measureable loss in value to the remaining property due to the partial acquisition.

Just Compensation is based on the Department's valuation of the needed property and its estimation of any damages to the remaining property. Department procedures, guided by Federal Regulations, have been designed to protect both owners of properties needed for highway rights-of-way as well as other taxpayers. The valuation process will be conducted either by an experienced and qualified employee of the Department or by an independent fee appraiser under a contract with the Department. The value arrived at will be by comparison of similar properties in the market that have recently sold, by knowledge and consideration of costs and depreciation for any improvements to be acquired, and when applicable, by the property's income potential. The final value determination will be based on this type on information from the local real estate market.

The property to be acquired is inspected by a qualified appraiser during the first part of the valuation process. With complex acquisitions involving large portions of the property, major buildings or improvements on the property, displacement of residents, and/or damages to the remaining part of the property not being acquired, property owners will be given the opportunity to accompany the appraiser during a detailed inspection of your property.

Any increase or decrease in the value of needed property brought about by public knowledge of the upcoming highway project is disregarded in the valuation process.

The final value estimate is reviewed for completeness and accuracy, and Just Compensation is established by the Department's Review Appraiser. In addition to this estimate of Just Compensation, the Department will make an offer to purchase any remainng property determined to have no remaining economic value to the owner.

ACQUISITION PROCEDURE

The Right of Way Agent who calls on you has studied the Department's valuation of the needed property and can illustrate with maps and other data how the acquisition will affect your property. The Department's offer will be

confirmed in writing together with an acquisition summary statement which provides the basis for that amount. The Agent is authorized to obtain an option and deed from you to purchase your property, subject to the approval of the Transportation Commission. The Agent is unable, under Department procedures governing acquisitions, to engage in "horse trading"; rather the Agent is confined to those monetary values indicated by the appraisal process.

However, the Department is ready and willing to reconsider its position in light of any new evidence of value presented by you including a documented professional appraisal.

The Department may not take any action which would coerce you into accepting its offer. Prohibited actions include advancing the time of condemnation, deferring negotiations or condemnation, or postponing the deposit of funds in court for your use.

You need not accept the State's offer or enter an agreement felt to be unfair. A refusal is simply a case of disagreement between the two parties on the value of the property.

In the event the parties are still unable to agree as to the compensation to be paid, or you cannot clear the title, a condemnation action will be filed. Discussions can, of course, continue even after an action is filed. The filing allows the State to proceed with the construction project.

IMPROVEMENTS

When the Department acquires an interest in your land, it must acquire an equal interest in your house or any other improvements located on the land acquired. If buildings are required to be removed the Department **may** allow the owner to retain the improvements, If you are interested, this can be discussed with the Right of Way Agent.

PAYMENT

If you sign the option agreement and deed, and the Transportation Commission approves it, then the transfer of title and payment may proceed. As in a private sale, you are responsible for clearing encumbrances to the title such as unpaid taxes, assessments, mortgages, outstanding leases and other liens against your property. The Right of Way Agent will assist

you in clearing title. No payment can be made until a warranty deed conveying clear title to the Department has been recorded in the appropriate county records.

At the time the deed is available for recording, authorization is given to prepare a check for your property. Normally, when no cloud obscures the title, you will receive payment for your property about four weeks after you give the Department a deed to the property.

If a condemnation action has been filed, the amount established by the Department as just compensation will be deposited with the court for distribution in accordance with the order of the court.

You are entitled to be reimbursed for fair and reasonable costs you incur for expenses incidental to conveying your property to the Department. Such expenses could be, but are not necessarily limited to, penalty costs for prepayment of any pre-existing recorded mortgage encumbering your property, mortgage release fees, and the State's portion of real property taxes.

POSSESSION

You are not required to surrender possession of your property until you have been paid the agreed purchase price or an amount equal to the Department's established estimate of just compensation has been deposited with the court for your benefit.

When negotiations begin, you , as well as any tenants occupying your property, will be notified in writing that it is the Department's intent to acquire the property. You will not be required to move from your home, farm, or business location earlier than 90 days following that notice or within 30 days after payment, whichever is later. However, if the purchase does not require you to move, the agreement to purchase your property may require you to surrender possession of your property upon payment.

The Department is aware of the need for a reasonable time for relocation. If your property is not needed for several months, your continued occupancy may be permitted on a short term basis. The amount of rent the Department may charge you, or another tenant, may not exceed the fair rental value of the property to a short term occupier.

RIGHT OF WAY OFFICES

For your convenience the Department maintains Regional Right of Way Offices at the following locations:

5821 NE Glisan Street
Portland, Oregon 97213
Telephone No.
731-3275

1299 NW Ellan Street
Roseburg, Oregon 97470
Telephone No.
440-3383

7165 SW Fir Loop
Tigard, Oregon 97223
Telephone No.
639-7311

63020 O.B. Riley Road
Bend, Oregon 97701
Telephone No.
388-6196

2960 State St. SE
Salem, Oregon 97310
Telephone No.
378-2641

3012 Island Avenue
La Grande, Oregon 97850
Telephone No.
963-7552

734-3773 (9-92)

APPENDIX G

LETTERS FROM INTERESTED AGENCIES

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Portland Field Office
727 N.E. 24th Avenue
Portland, Oregon 97232

ENVIRONMENTAL

FEB 13 '90

2-14-90
Lylie-Roy
Janet
Piet

Mgr. — Asst. Mgr. — Rec.
P.M. — Eng. —
Sec. — Staff — Sec. —
Refer to

D/R R/D Act Info Post File Return

February 9, 1990

1-7-90-SP-85

Pieter T. Dykman
Environmental Section
324 Capitol Street N.E.
Salem, Oregon 97310

Dear Mr. Dykman:

As requested by your letter, dated February 2, 1990 and received by us on February 5, 1990, we have attached a list of endangered and threatened species that may be present in the area of the proposed Fernhill to John Day Bridge [redacted] in Clatsop County, Oregon. The list fulfills the requirement of the Fish and Wildlife Service under Section 7(c) of the Endangered Species Act of 1973, as amended (16 USC 1531 et. seq.). Federal Highway Administration's requirements under the Act are outlined in Attachment B.

Should your biological assessment determine that a listed species is likely to be adversely affected by the project, Federal Highway Administration should request formal Section 7 consultation through this office. Even if your biological assessment shows a "no effect" or "beneficial effect" situation, we would appreciate receiving a copy for our information.

Your interest in endangered species is appreciated. If you have any additional questions regarding your responsibilities under the Act, please call Diana Hwang at our office, phone (503) 231-6179 or FTS 429- 6179. All correspondence should include the above referenced case number.

Sincerely,

Roger E. Gedenstrasse

Russell D. Peterson
Field Supervisor

Attachments

cc: PFO-ES
ODFW (Nongame)
ONHP

OREGON INTERGOVERNMENTAL PROJECT REVIEW

State Clearinghouse
Intergovernmental Relations Division
155 Cottage Street N. E.
Salem, Oregon 97310
373-7652

I. R. D
SEP 0 8 1987

STATE AGENCY REVIEW

Project Number OR870731-079-2 Return Date: SEP 04 1987

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

Chntcp

PROGRAM REVIEW AND COMMENT

TO STATE CLEARINGHOUSE: We have reviewed the subject Notice and have reached the following conclusions on its relationship to our plans and programs:

[ ] It has no adverse effect.

[ ] We have no comment.

[ ] Effects, although measurable, would be acceptable.

[ ] It has adverse effects. (Explain in Remarks Section.)

[X] We are interested but require more information to evaluate the proposal. (Explain in Remarks Section.)

[ ] Additional comments for project improvement. (Attach if necessary.)

==========

REMARKS (Please type or print legibly)

More information on impacts to wetlands and options for mitigation are needed. The Department of Fish and Wildlife contact for this project is District Wildlife Biologist Doug Taylor in Tillamook (842-2741).

c Taylor

Agency Fish & Wildlife By Nancy Potts

IPR #2 Phone Number 229-5679

814

OREGON INTERGOVERNMENTAL PROJECT REVIEW

DEPARTMENT OF LAND
CONSERVATION & DEVELOPMENT
AUG 3 1987

State Clearinghouse
Intergovernmental Relations Division
155 Cottage Street N. E.
Salem, Oregon 97310
373-7652

I. R. D
AUG 25 1987

SALEM

STATE AGENCY REVIEW

Project Number OR870731-079-2 Return Date: SEP 04 1987

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

Clatsop

PROGRAM REVIEW AND COMMENT

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[ ] It has adverse effects. (Explain in Remarks Section.)

[ ] We are interested but require more information to evaluate the proposal. (Explain in Remarks Section.)

[ ] Additional comments for project improvement. (Attach if necessary.)

==========

REMARKS (Please type or print legibly)

The project will need to be carefully coordinated with Clatsop County regardi potential plan amendments and goal exceptions if significant protected wetlan will be affected. The Department will review the project for consistency wit the OCMP at the time DSL and Corps of Engineers permits are circulated for review. In addition, ODOT should contact USFWS regarding potential effects of the project on bald eagle feeding areas in the Tongue Point vicinity (Diana Hwang 231-6179).

Agency LCDC By Patricia Snow

IPR #2 Phone Number 378-0087

OREGON INTERGOVERNMENTAL PROJECT REVIEW

State Clearinghouse
Intergovernmental Relations Division
155 Cottage Street N. E.
Salem, Oregon 97310
373-7652

I. R. D.
SEP 0 2 1987

DIVISION OF STATE LANDS
AUG 3 11 36 AM '87

STATE AGENCY REVIEW

Project Number OR870731-079-2 Return Date: SEP 04 1987

To Agency Addressed: If you intend to comment but cannot respond by the return date, please notify us immediately. If no response is received by the due date, it will be assumed that you have no comment and the file will be closed.

Attsap

PROGRAM REVIEW AND COMMENT

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[X] Additional comments for project improvement. (Attach if necessary.)

==========

If the project would require the removal, fill, or alteration of 50 cubic yards or more of material within the banks of the waterway(s) or wetland area(s), we urge the applicant to apply for state removal or fill permits well in advance of construction deadlines to prevent unnecessary project delays. Specific information of the need for permits may be obtained from the Division of State Lands' office at 1600 State Street, Salem, OR 97310. Phone: 378-3059.

Thank you for the opportunity to comment on this project.

Agency Lands By Wm Barbo

IPR #2 Phone Number 8-3805